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THE NEW REPUBLIC

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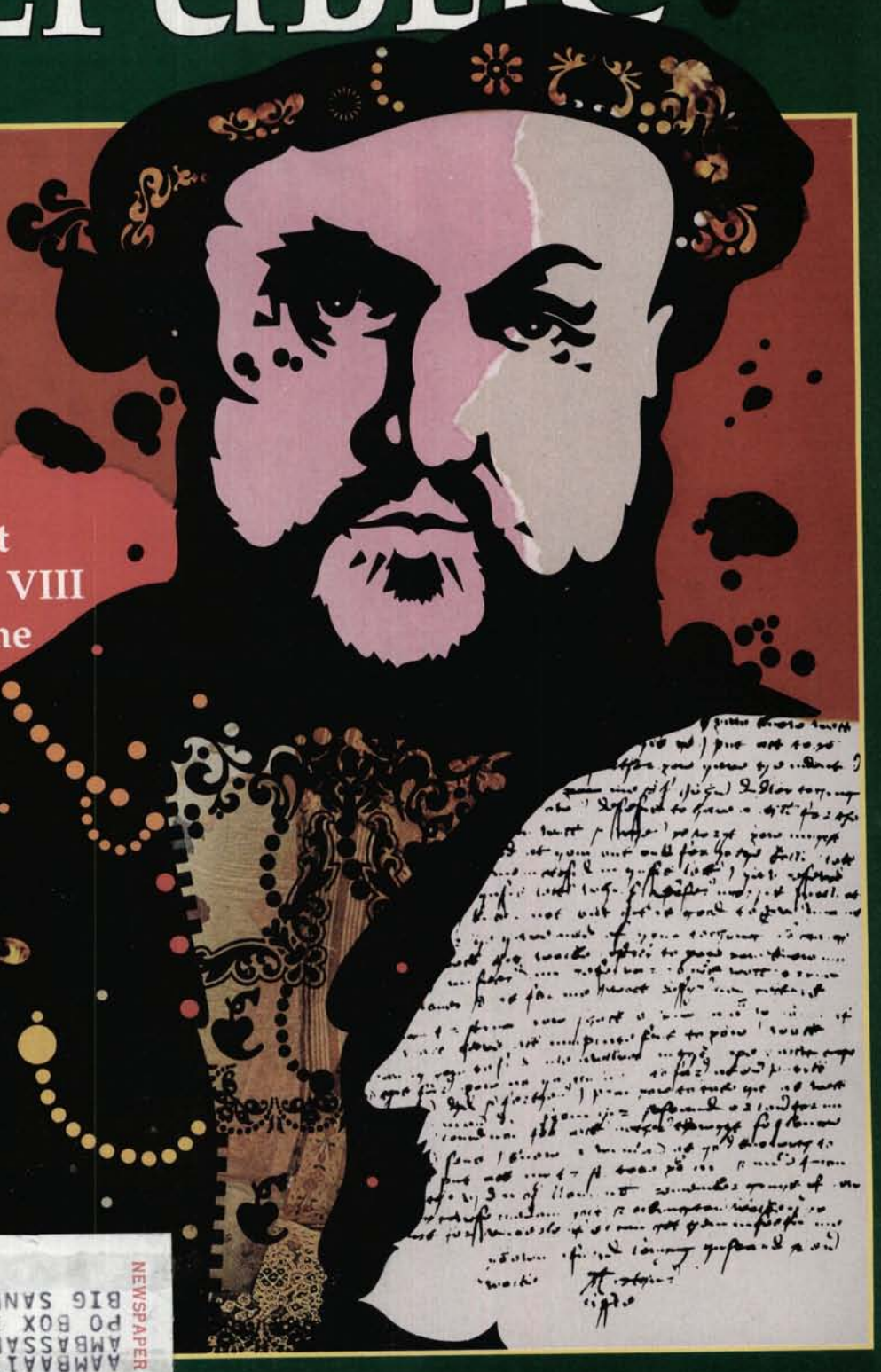

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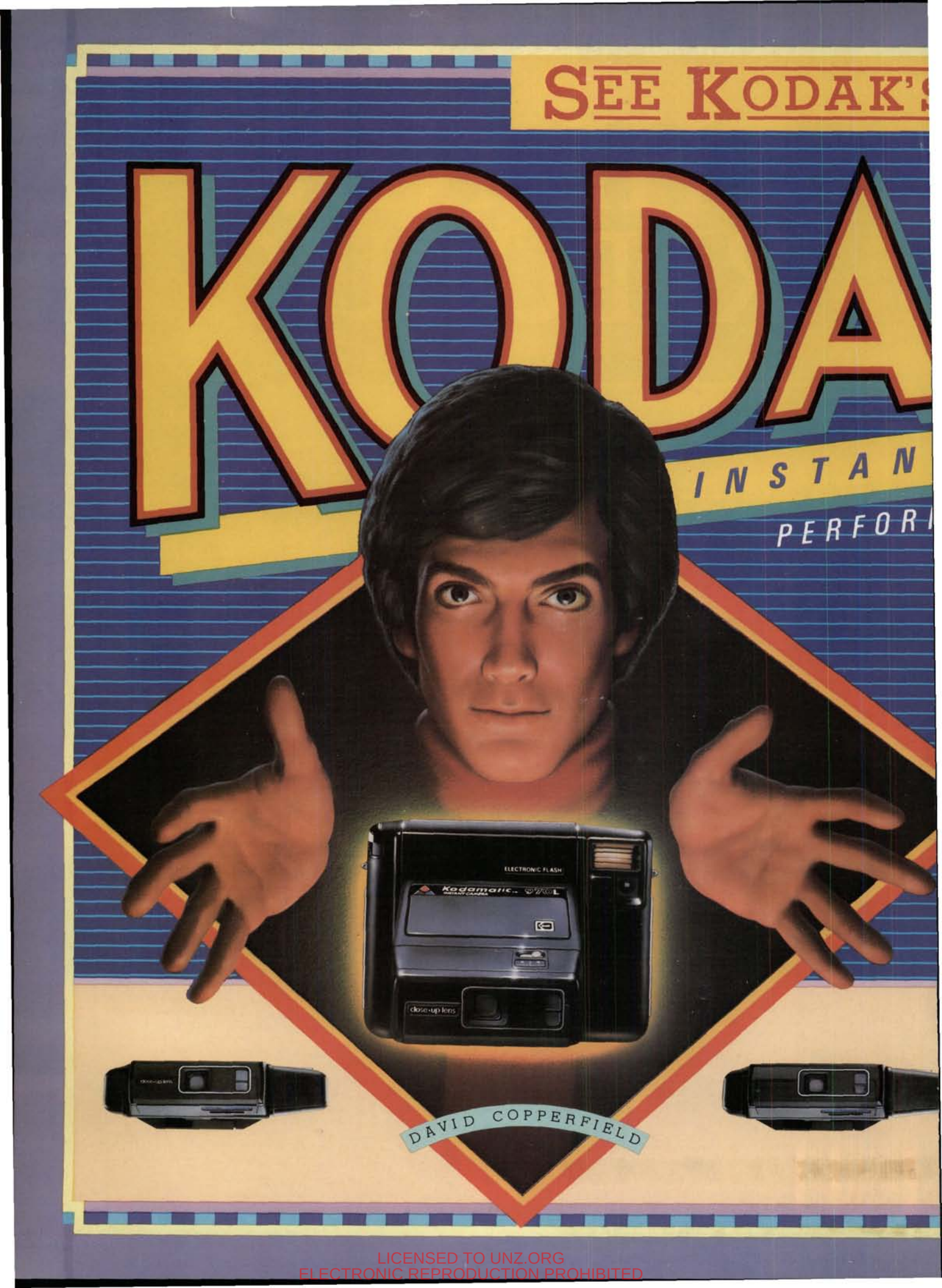

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CORRESPONDENCE

EHRLICHMAN ON JOHN OSBORNE

To the editors:

Richard Cohen read John Ehrlichman's *Witness to Power* not only late (TNR, April 7), but too rapidly. THE NEW REPUBLIC is a major exception to his claim that "no one—but absolutely no one—comes off well" in Ehrlichman's memoir. In fact, Ehrlichman provides a touching, perceptive portrait of TNR's late John Osborne—one worthy of having appeared in Mr. Osborne's own "White House Watch" column: "He was always superbly prepared for an interview, but it was hard to see it. He asked questions like an old-time trial lawyer, obliquely, apologetically, behind enough of a smoke screen that the unwary would miss seeing the snare he'd laid by the path. John smoked constantly, mumbled and lost his notes, snuffled and snorted and seemed to ramble all over the place, but in ten or fifteen minutes he'd gotten me to tell him enough to permit him to write the most lucid, full-of-thought and genuinely perceptive column I'd seen all week. In spite of Nixon's admonitions I continued to see Osborne, mostly because I liked to watch him work. Secondarily, I knew the other reporters talked to him a lot, and if I could convince John Osborne some domestic effort of ours was worthwhile, I was a long way toward finding approval in other reporters' news stories and columns."

Fred I. Greenstein
Princeton University
Princeton, New Jersey

NATIONALISM WITHOUT TEARS

To the editors:

A conceptual distinction might greatly enhance Mark Crispin Miller's otherwise trenchant analysis of the Norman Lear production, "I Love Liberty" ("Patriotism Without Tears," TNR, April 14). Miller equates patriotism with "cruel appetites," and "the wish to jump up and down . . . on some alien face," and he refers to patriotism's "unpleasant origins and cruel necessity." In assessing the Lear extravaganza, he claims that liberals are, in the end, not very good at owning up to these realities. Miller may be right about liberals, but he's wrong about patriotism. What he is referring to is *nationalism*, the rabid allegiance to one's own nation-state which has come to be taken for patriotism in the twentieth century. By confusing these two political emotions, Miller misses the real lesson in the ABC broadcast, that liberals are as adept at being grossly nationalistic as conservatives, and that neither are particularly good at being patriotic. Norman Lear did indeed serve up a fine example of nationalism—the symbolic rhetoric, the blatant obliteration of America's historical past, the idolatry of self, and, most significantly, the rejection of any critical reflection about political values in favor of an approach to politics as a spectacle. All of these belong to the nationalist mentality. And television is a peculiarly apt medium for fostering this mentality because it transforms public citizens into passive consumers and turns difficult and complex issues into simplistic slogans (like "I love liberty").

Patriotism is the very opposite of this manufactured allegiance. Patriotism entails both a love of one's country and a recognition of its faults—which is to say that the patriot's mentality is one of respect for his or her country's traditions and values but not an idolatry or a mystification of its past deeds and actions. Miller is right when he says that patriotism requires a recognition of those who profess different, perhaps threatening, views, for the patriot is neither smug nor self-righteous nor self-saluting. Unlike the nationalist, the patriot leaves room for the possibility of his or her own ignorance or error. But Miller is also wrong when he says that "patriotism has over the centuries served to harden the identities of people in their bloody oppositions," for here he has again confused the intransigence which is akin to nationalism with patriotism, which refuses to succumb to viciousness or violence.

Finally, and most important, patriotism might also be described as more than a mentality *about* country; it is also a way of living *in* one's country. Patriots are committed to public, political action, which also means that they recognize others as fellow citizens, not as mindless consumers or potential enemies. Patriotism becomes concrete when it is revealed as public-spiritedness and participatory citizenship, and when it is realized in the *experience*, not simply the *exclamation*, of liberty.

Miller astutely recognizes that the Lear production failed to provide us with anything but grandiose—and empty—exclamations, but he misses the ultimate point. This TV "special" was not an embarrassing display of patriotism; it had nothing to do with patriotism at all.

Mary G. Dietz
Smith College
Northampton, Massachusetts

To the editors:

Mark Crispin Miller assails Norman Lear's recent patriotic special, "I Love Liberty." The title is subtly antipatriotic, denying all community in favor of pseudo-personal preference, as if freedom were a Big Mac or a Seven-Up, a pleasure for the individual consumer.

But American patriotism *is* our common unity of individuals personally preferring liberty. Last Independence Day Jack Beatty explained in these very pages ("The Patriotism of Values," TNR, July 4 & 17, 1981) that "America's patriotism is unusual among the patriotisms of the world. It is a patriotism not of blood and soil but of values, and those values are liberal and humane. France would still be France without the Fifth Republic; without the Constitution and the Bill of Rights, America's very nationhood would vanish."

Contemporary liberals have long appreciated this point. Eugene McCarthy's 1960 book, *The Challenge of Freedom*, approvingly quoted these lines of Chesterton: "America is the only nation in the world that is founded on a creed. That creed is set forth with dogmatic theological lucidity in the Declaration of Independence; perhaps the only piece of practical politics which is also theoretical politics. . . ."

George S. Swan
Widener University
Wilmington, Delaware

BACK PAT

To the editors:

The April 7 issue of THE NEW REPUBLIC was the best issue I've seen in years. Packed with brilliant articles—Robert Brustein on "Pinter's New Play," Leo Bersani on "Idiots and Geniuses," Mark Crispin Miller on television, Jack Beatty on "The President's Mind," and others. The April 7 issue delights the soul. Heartiest congratulations.

David L. Graham
Freeport, Maine

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THE NEW REPUBLIC

A Weekly Journal of Opinion

FOUNDED 1914 — ISSUE 3,512

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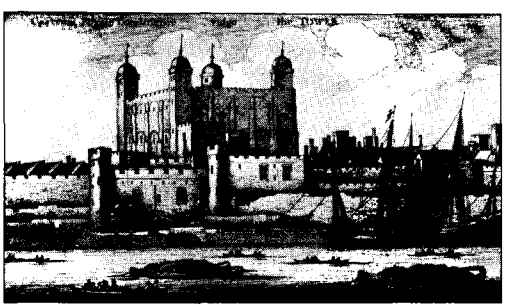

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FROM WASHINGTON

THE MOVEMENT

All over town you see people with paperbacks that discuss the best way to save the world. It's the Movement. They're against nuclear war. Suddenly they are looking at something they have always before refused to look at: annihilation. I don't recall anything quite like it, except perhaps the tension in 1941, just before Pearl Harbor, between isolationists and interventionists. Is it real? Will it last? Instead of war hysteria it's antiwar hysteria.

A new feature in the communications process is the proliferation of cheap books. FDR had his fireside chats. Then came television, which reached the masses. This latest development requires home reading, even thinking. One must be a participant, and not merely a spectator. It's amazing how the presses have cranked out the books. The *Uncle Tom's Cabin* of the crusade, of course, is Jonathan Schell's passionate *The Fate of the Earth*. He polishes off the human race in three agonized chapters, relegating it to "the simplicity of nothingness." Then there's the paperback of Roger Molander's Ground Zero group: *Nuclear War: What's In It For You?*, and the other paperback, *Freeze!*, the bible of the Kennedy nuclear freeze movement. It's a good thing, I guess, trying to get people to read in addition to watching television.

In one of these antiwar sessions, we sit at breakfast with Senator Edward Kennedy. He is broad-shouldered, articulate, spontaneous, and broadens his "a" in "can't" and "answer." Is he running for the Presidency? Of course he is. He leans on the tablecloth and gesticulates slightly with his left hand. He has alert, sharp replies. Yes, he wants a global freeze. The United States has 9,000 nuclear warheads and the Soviets 7,000, he notes, so each country is positioned to destroy the other. They have what he has called in the past a "substantial equivalency."

It's hard to sit here in this comfortable hotel room and remember that the British fleet is chugging toward the Falkland Islands, where Argentina is asserting sovereignty by force. One of those poignantly outrageous and silly conflicts—which is just what the Movement warns against—is being played out. America is suddenly thinking about the unthinkable because President Reagan has got the country worried. He has been talking about negotiating with the Russians for over a year, but nothing seems to come of it.

Ted Kennedy and Mark Hatfield introduced a resolution in March that was signed by 24 senators and 166 representatives. It attempted to find "how to achieve a mutual and verifiable freeze on the testing, production, and future deployment of nuclear warheads, missiles, and other delivery systems. . . ." Then four influential former government officials, including McGeorge Bundy and Robert McNamara, proposed renunciation by the U.S. of the first use of nuclear weapons. Reagan has been so tough that he has frightened people. He picked hard-liner Paul Nitze as chief delegate to the Geneva disarmament talks, a choice which Barbara Tuchman has likened "to putting Pope John Paul II in charge of abortion rights." He instituted a defense budget so big that Congress is now belatedly turning against it. He said at an early press conference that the Soviets would lie and cheat in order to achieve an advantage over the U.S., and he now insists that the Soviets have "a definite margin of superiority" in nuclear weapons which is denied by knowledgeable experts. The Soviets are indeed the chief obstacle to peace in the world today, but, after all, they are frightened too. They lost twenty million people in four years in World War II. "I am convinced

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History's lessons for our troubled schools

Can America's faith in public education be restored? Historian David Tyack and political scientist Elisabeth Hansot find both insight and encouragement "by tracing the role of school leaders through the panorama of growth and change in American public schools....A delightful and important book...incisive in its judgments and searching in its scholarship."

—*Harold Howe II, Harvard University*

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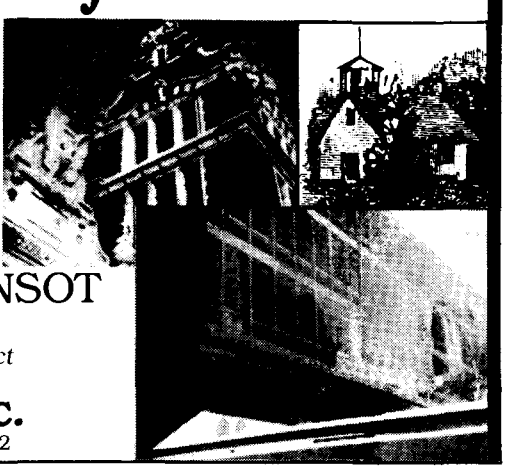

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THE NEW REPUBLIC
MAY 5, 1982

SAVAGING THE SCHOOLS

President Reagan's proposal to provide tuition tax credits to private schools is a clumsy political fraud, a transparent device to distract Catholic voters in the industrial Midwest and Northeast from the ravages of the worst recession since World War II. These voters are not likely to be fooled by a President who says he is serious about the proposal and will push hard for it in Congress, but who didn't bother to include it in the budget he submitted to Congress in February. Two key Congressional Republicans, Representative Barber Conable of New York and Senator Robert Dole of Kansas, both past supporters of tuition tax credits, have already come out against the President's proposal, arguing that the elephantine 1983 budget deficits make further cuts in federal revenues unthinkable; and Senator Alan Cranston of California, the Democratic whip, has said that the proposal will not even be seriously debated. Plainly, for the Catholics of our large cities, the President's plan amounts to a shell game. It is the kind of crass public relations gesture that makes politics seem a swindle of the public trust.

As public policy the proposal is even worse. Speaking to a group of Catholic educators in Chicago, the President announced a plan under which the parents of four million children could deduct half the cost of tuition for private elementary and secondary schools. The plan would start next year with a ceiling of $100, which would rise to $500 by 1985. It would cost $100 million next year, and $1.5 billion by 1987. Families with annual incomes of up to $50,000 could take the full credit, with partial credit available to families earning as much as $75,000. Since the federal government now spends $200 per pupil in public schools, the Reagan plan would culminate in the ripe absurdity of the federal government providing $300 *more* in per pupil subsidies for private than for public education.

On "The MacNeil-Lehrer Report" of April 15, Gary Jones, a deputy under secretary of education, claimed that the Reagan plan would improve the quality of public education: that all-beneficent nostrum, competition, would do the trick. To attract pupils whose parents could otherwise cash in on a $500 tax credit for private schooling, the public schools would be forced to improve. We recognize the logic at work here: it is the market model applied to a social institution. Similarly, to improve our local police forces, we could set up federally subsidized private police forces. To improve mail delivery, we could revive the pony express. To get the potholes out of our state highways, we could build private parkways next to them. It's easy once you get the hang of it; it's also ludicrous. The distribution of public goods simply cannot be compassed in market terms. The logic of the Reagan proposal is designed for that species of libertarian for whom a traffic light is a signal of oppression.

Senator Ernest Hollings made the most comprehensive riposte to the substance of the Reagan proposal. "The tuition tax cut proposal," said the South Carolina Democrat, "would turn our nation's education policy on its head, benefit the few at the expense of the many, proliferate substandard segregationist academies, add a sea of red ink to the federal deficit, violate the clear meaning of the First Amendment of the Constitution, and destroy the genius and diversity of our system of

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public education." On the segregation point, a comment of the President's may be significant. In an impromptu question and answer session with editors from the Southeast on the day after his Chicago speech, the President said his Administration would guard against tuition tax credits going to segregated schools, but he conceded that something he called "functional" segregation could result from the new program. We can see why a little thing like "functional" segregation would not bother an Administration ready to reverse ten years of legal and social policy to give the likes of Bob Jones University a tax break, but to people proud of the progress this country has made on civil rights, the President's casual admission will be reason enough to oppose his tax credit scheme.

We sympathize with the plight of Catholic parents. Parochial schools aren't cheap: one Boston Catholic high school will charge $1,700 for tuition next year. Still, these parents are getting what they pay for: a disciplined environment where their children can learn to read and write and be good citizens—and be good Catholics. There's the constitutional rub.

RELIGION LIGHTS UP morality, and surely one of the glories of our pluralistic society is the way Catholic religious teaching has lighted up moral and political issues for the general good. On such matters as social justice, family stability, respect for unborn human life, the arms race, and human rights at home and abroad, the country has benefited from the insights into human nature and society offered by men and women trained in the Catholic dispensation. Agree or disagree with specific Catholic teachings, we should still be grateful for the training in social conscience, patriotism, and prudent morality provided by our parochial schools. Currently the nation provides needy parochial schoolchildren with hot lunches; and it might even help defray the cost of their textbooks, provided it did the same for public schoolchildren, without injury to constitutional principle or the public schools. But further than that, we don't think it should go. Catholics have always made sacrifices for their faith, and we trust they will continue to sacrifice to support their schools.

Ten percent of our schoolchildren attend private schools, and 87 percent of those are in church-related institutions. These figures point up the constitutional controversy surrounding any government aid to parochial schools. While state courts have found such aid unconstitutional in the past, we simply can't know how a future Supreme Court would decide the issue. We oppose the tuition tax credit proposal less on constitutional grounds than on social policy grounds.

Any comparison of the quality of public and private schools is bound to be flawed, since private schools are selective and public schools, like Robert Frost's home, are the places where they have to take you in. Still, you don't have to be a social scientist gorging on grants to know why, aside from religious reasons, parents pay twice for education by sending their children to private schools: they fear for the safety of their children, especially in our Northern cities, and they have no faith in the quality of public education. The safety question is where crime in the streets comes home; it is the great slumbering issue of our politics. The widespread perception of a decline in quality is more strictly educational in kind, and it finds support from the most dolorous statistics.

In 1966 high school seniors scored an average of 467 points on the verbal section of the Scholastic Aptitude Test. Ten years later the figure was 429. Math scores slipped from 495 to 470. Every year, Christopher Lasch reports in *The Culture of Narcissism*, "40 to 60 percent of the students entering the University of California find themselves required to enroll in remedial English." Things are apparently little better in the elite private colleges. At Stanford, only a quarter of the students in the class entering in 1975 managed to pass the university's English placement test. Lasch quotes from a study of general education at Columbia: "Students reading Rabelais' description of civil disturbances ascribe them to the French Revolution. A class of twenty-five had never head of the Oedipus Complex—or of Oedipus. Only one student in a class of fifteen could date the Russian Revolution within a decade."

There has been some good news in education in the 1970s, but it is overshadowed by the Reagan budget cuts. During the past decade, black children narrowed the gap separating them from whites in educational achievement test scores. In 1970 they scored 18 percent below white children; now the figure is 13 percent. The gap is still wide, but the improvement is encouraging. Many experts, however, credit the improvement to the Title I programs of the Elementary and Secondary Education Act, which Mr. Reagan's 1983 budget would cut by 45 percent. Here as elsewhere, the Reagan Presidency deadens social hope.

SO THE PUBLIC perception is real; education, both public and private, is in trouble. The fault isn't Mr. Reagan's—*not yet—nor is it primarily the schools'*. The decline in educational quality is one aspect of the wider crisis of our culture—the crisis in standards and authority in our politics, families, schools, universities, churches, newspapers, and magazines. This is a low time for cultural and artistic achievement. It is bootless to blame the schools for this, but more than other social and cultural institutions, the schools directly shape the future, and reform of the schools now might save our children from our mediocrity.

Feeling threatened by Russian advances in science in the wake of Sputnik, the nation embarked on a series of reforms which included teacher retraining, incentives for teacher excellence, and federal aid for purchasing lab equipment, for foreign language training, and for curriculum modernization. The current

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crisis is graver, for it threatens not merely our prestige but also our productive capacity—our ability to compete with the highly trained work forces of Japan and Germany. Los Angeles County, in the heart of hi-tech country, has a reported seven thousand vacancies for math teachers. They are needed to teach the workers who will be at the cutting edge of America's future technological innovation. Where will these teachers come from? At an average national salary of $17,500 for a teacher with a master's degree and six years of experience, the market incentives toward careers in education, to use the Reagan logic, are not strong. What is the Reagan Administration doing to help? It is cutting job training programs. It is cutting student loans. It is virtually eliminating loans to graduate students. It is cutting science research, aid to handicapped children, and Title I compensatory programs, and now it has proposed a program that would wreck the public school system in the sacred name of competition. It will be up to the next Democratic administration to direct the nation's attention to our real needs and to make improvement in education a national priority.

THE MODES of future federal, state, and local aid and effort will be as various as the nation's 17,000 school districts. But we think the aims of educational reform are clear. Our schools should prepare our work force to meet the challenge of foreign industrial productivity, and they should prepare our children to keep their moral and intellectual bearings in a culture characterized by what Saul Bellow has called the Great Noise. By this Bellow means "not simply the noise of technology, the noise of money or advertising and promotion, the noise of the media, the noise of miseducation, but the terrible excitement and distraction generated by the crises of modern life. . . . Contributing to it are real and unreal issues, ideologies, rationalizations, errors, delusions, nonsituations that look real, nonquestions demanding consideration, opinions, analyses in the press, on the air, expertise, inside dope, factional disagreement, official rhetoric, information—in short, the sounds of the public sphere, the din of politics, the turbulence and agitation that set in about 1914 and have now reached an intolerable volume." This noise blights thought and imagination, and presses in on identity like a sea that licks off more coastline with every tide. The schools, asked to do so much, have their work cut out for them here.

Finally, we think the schools must try to put new life in the now all but forgotten humanistic ideal that, in Lionel Trilling's words, "the best citizen is the person who has learned from the great minds and souls of the past how beautiful reason and virtue are and how difficult to attain." Reagan and his ilk will pass away, but the challenge of education for productivity, for noise-proof critical intelligence, and for humanistic depth will remain.

NOTEBOOK

□ THERE IS MUCH to argue with in Bruce Allen Murphy's *The Brandeis/Frankfurter Connection* (see "The Framing of Justice Brandeis," by Robert Cover, page 17), but one incontestable fact that emerges from the book is that Felix Frankfurter occasionally used his position as a contributing editor of THE NEW REPUBLIC to get Brandeis's opinions into the magazine. Indeed, some of the unsigned editorials purportedly written by Frankfurter appear to be simply re-drafts of letters from Brandeis to his protégé. No one at the magazine, with the possible exception of Herbert Croly, seems to have been aware of this arrangement. Murphy asserts darkly that Brandeis "educated the editorial board on his views so that the whole slant of the journal would favor his philosophy." This strikes us as overheated. The articles in question either treated marginal subjects (such as the work load of the judiciary) or were perfectly consistent with the editors' own, independently-arrived-at views. Possibly Brandeis and Frankfurter were guilty of a lack of candor, but we don't see that this aspect of their collaboration raises any grave questions of ethics or morality. Meanwhile, Supreme Court Justices wishing to contribute to THE NEW REPUBLIC should remember to enclose a stamped, self-addressed envelope.

□ GENERATIONS OF SENSITIVE MALE adolescents wooed coy teenage mistresses by quoting Andrew Marvell, usually to no avail. Where poetry has failed, the prospect of nuclear holocaust, apparently, has now succeeded. According to Professor Ray Short of the University of Wisconsin, today's youth takes the view, "If I don't get sex now, I'll never know what it feels like." This insight lends new meaning to the title of Ground Zero's book, *Nuclear War: What's In It For You?*

□ THE CENSUS BUREAU is fooling around with new ways to define poverty. It seems that if certain noncash benefits (such as food stamps and Medicaid) were to be counted as income, the number of Americans who are poor by official definition would drop dramatically—from about 24 million to about 14 million, according to one estimate. It goes without saying that the purpose of this recalculation would be to reduce the number of people eligible for the very programs that lifted them out of poverty in the first place. But leave that to one side. Instead, let us welcome the good news. It comes from an unlikely source. The news from the Reagan Administration is that the welfare state works after all.

□ FIFTY YEARS AGO IN THE NEW REPUBLIC: "The writer who has made me feel most overwhelmingly that bourgeois society was ripe for burial was none of our American Marxist journalists but Proust." ("The Literary Class War," by Edmund Wilson, May 4, 1932.)

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Censorship about noncensorship.

Long-Legged Lies

Cairo/Jerusalem

THE DAY I left Cairo, the story was already beginning to make waves. I spent the morning in the offices of the influential Egyptian daily newspaper, *Al-Ahram*, and the political nerves of every editor I spoke to were on edge in these last days of the promised Israeli evacuation of Sinai. Could the Israelis really be trusted? Wouldn't the Begin government find a last-minute excuse? When the *International Herald Tribune* arrived, carrying Anthony Lewis's *New York Times* column, "When Eyes Turn Away in Israel," more fuel was fed into the fires of post-Sadat suspicion.

"You see!" one *Al-Ahram* editor said to me, "here is Lewis in the *Times*, reporting that the Israelis are using these hopeful Camp David days to intensify cultural repression in the West Bank, and even banning two of our leading propeace writers, both columnists on this paper—Towfik El-Hakim and Naguib Mahfouz. . . ." The editors were, for the most part, reasonable sorts of fellows, and their consternation matched my own.

In addition to the ban on "works by Egyptian writers who have been advocates of peace with Israel," Anthony Lewis listed a handful of other titles censored by the military government in the West Bank, including George Orwell's *1984*, Walter Laqueur's *The Soviet Union in the Middle East*, John Dryden's poetry, and Shakespeare's *The Merchant of Venice*. In the index compiled by two of Lewis's named sources, Ory Bernstein and Amos Elon, the astonishing additions include Alan Moorhead's two histories, *The White Nile* and *The Blue Nile*, and the poems of Pablo Neruda.

That evening, at a Jerusalem literary party, I found myself in the midst of an agitated conversation on the subject, although I knew little about Israeli politics (this was my first visit) and less about the West Bank. Still, I found the tale dubious and suspect. Censors are usually ignorant as well as foolish the world over, but could there be some Ashkenazi colonel or Sephardic sergeant so mindless, so uneducated, so stupid as to put together such a list? "That's the way things are over here, these days," a left-wing writer said, "positively Orwellian!" And when I asked the well-known Jerusalem journalist, Amos Elon—on whose story in *Ha'aretz* Lewis had based his column—how he could account for something so grotesque, he said, "It's all part of the preparations for a Fascist regime! Soon we'll have it all, concentration camps as well as the burning of the books. . . ." But even the Nazis, I said, banned only the books of their enemies (Einstein, Freud, & co.). How could the Jews be so absurd as to ban the books of their friends? "Well," he replied, "maybe it was all a mistake, but that's the kind of Kafkaesque mystification that's going on." Was the mistake, then, corrected? "Well, maybe it was, but one mistake may be withdrawn, and then another more terrible one made. It's what they want to do—suppress and manipulate people. . . ."

I decided to try and get to the bottom of a story (originated by Bernstein, broken by Elon, and picked up by Lewis), that seemed to be casting additional shadows over Camp David and presaging darker days over the Jordan. And how true was this particular story of Israeli book burning? Had all the facts been checked and double-checked? What was the nature of the documentation, and who had actually seen what authentic lists and official bibliographies? The problem—in part journalistic ethics, in part intellectual integrity—left me no peace, and I phoned an acquaintance at midnight. He insisted that his officials at the Ministry of Information would have categorically denied it, had they been asked, which they hadn't.

Still, part of the story should have been the absolute official denial (and perhaps how they were lying through their teeth). Why hadn't anybody bothered to check out the other half of the story? "Because it is a complete phony," the Israeli spokesman said, "and there's no stopping those chaps from writing what they want so much to believe. . . . I'll send you the documents. Behind it all lies a small bureaucratic mistake, an idiotic mixing up of papers by a secretary in an office five years ago and it was corrected by official order shortly thereafter. What can one do? Things like that sometimes happen, even if they shouldn't. The page that listed certain titles which were to be *approved* for import licenses into the West Bank was erroneously stapled together with the list of banned books—exclusively PLO propaganda, or old-time Jordan school textbooks with anti-Semitic biases. We thought we caught up with the error in 1977. But it is still being peddled. It now seems as hard to catch up with as if it were some new *Protocols of the Elders of Zion*. . . ."

Incidentally, the recent Arab translations of *The Protocols* as well as of Hitler's *Mein Kampf* are on the current list of some 1,100 officially banned titles, almost exclusively Arab books published in Arab capitals, prohibited in precisely the way that any country in wartime excludes enemy propaganda and many civilized countries ban scurrilous racist tracts. A reporter for the *Jerusalem Post* finally took the trouble to consult the official "computer print-out," and confirmed on the front page of the *Jerusalem Post* on April 6 that 99 percent of the books requested by West Bank and Gaza book dealers and libraries (some 21,000 titles in 1981) were granted import licenses, and that the previous "Orwellian" censorship stories were (to put it mildly) in error. (As of this writing, the facts about these mistaken revelations by Mr. Lewis have not yet been shared with the readers of the *Times*, although they have been known for two weeks to its editors.)

The next day I called on Menachem Milson, a profes-

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sor of Arabic studies at Hebrew University who is now in charge of the Civilian Administration, which replaced the Military Government as overseer of the West Bank's occupied territories. "I am afraid," he said, "it is not an error, but a malady. The so-called 'investigative reporters of the crusading press, in Israel and in the West, are in the grips of a pattern of prejudice, and all roads lead to that syndrome. If they look at our water problems, then we are stealing the Arab wells. If they look at our hospitals, then we are letting Arab babies die while saving ours in Hadassah respirators. This was the outrageous argument of the recent ABC-TV '20-20' documentary, and I frankly don't know how to deal with this without spending all my time doing public relations. . . ."

I asked him about the banned books, from Shakespeare to Orwell. "The journalists must think we are some kind of new breed of subintelligent monsters. There is not a word of truth in the charge of 'Orwellian' censorship. Not a single book on that reported list—and, alas, the fake reports have now been widely reprinted—has been censored, and every one of them is available to book buyers and to each of the four universities (there were none before) which have grown up under Israeli encouragement. That 'Merchant of Venice' is not the Bard's play, but a vicious pamphlet making pure anti-Semitic propaganda out of the plot. That's the title that's banned, along with a host of other such rabid vaporings. . . . But lies have long legs. How can we ever catch up with them once they start racing around the world?"

MELVIN J. LASKY

Melvin J. Lasky is editor of *Encounter.*

Can the workers save the industry?

AUTO MOTIVES

THE AGREEMENTS reached earlier this spring between the auto companies and the United Automobile Workers are something of a gamble: a hedge against present difficulties and a bet on ultimate recovery. Management secured immediate "relief" for the industry in savings on labor costs that are to be invested in retooling and new products. This investment is expected to entail big payoffs when the industry recovers from its present slump. The UAW made some concessions in salaries, benefits, and working conditions, in exchange for some sweeteners and, more important, for long-range programs entailing income and job guarantees, as well as incursions into management prerogatives that the union believes will enhance jobs and workers' lives in a revitalized industry.

Will the new agreements help to increase productivity and revitalize the industry? Have labor and management entered into a new, conciliatory relationship? According to Alfred S. Warren Jr., the chief negotiator for General Motors, "This contract opens a new chapter in American labor relations and clearly signals a move for us in a new direction—away from confrontation and toward cooperation, away from our adversarial past toward a new alliance aimed at maintaining a competitive leadership in our products and assuring job security for all our employees."

UAW leaders agree, at least in part. All those I talked with agreed that the auto companies, particularly General Motors, and their workers showed more sophistication in the recent negotiations than in the past, although not everyone went so far as Ron Murray, the local president in Ypsilanti, Michigan, who told a *New York Times* reporter: "I think the day and age of the adversarial relationship between the union and the company is gone."

Yet the slim margin by which the GM agreement was ratified (114,468 to 105,090) suggests that much of the old adversarial spirit remains. Ford workers approved their contract by an almost three-to-one vote, but as a friend who works in a Ford axle plant told me, "Everyone here knows that the company is in deep trouble, but GM made $333 million last year." GM chairman Roger B. Smith didn't help matters when he announced that all GM employees must be willing to make sacrifices, and then disclosed his share would be $135 a month. And now GM has proposed a new perk for its executives, making more of them eligible for bonuses and reducing the amount of profit GM has to make before bonuses can be awarded. UAW president Douglas A. Fraser's assessment of the vote is as accurate as any: "The closeness of the vote makes it clear that this was a very difficult and painful step for our UAW-GM members, yet one taken in an attempt to address our problems in these very troubled economic times."

The acceptance of cuts in wages and benefits to safeguard jobs is not new in labor relations. In most instances, workers and their unions have been willing to come to the aid of economically troubled employers and industries. Meat packers at Armour, rubber workers at Uniroyal, and auto workers at Chrysler, who gave up $600 million in previously promised wage and benefit increases, are among those who have made concessions during the recession to salvage jobs. There is indeed an adversarial component to collective bargaining, yet the history of labor relations in the United States since World War II suggests that there is a larger component of cooperation in contract enforcement and in the fulfilling of obligations under agreements than either side acknowledges.

No doubt such cooperation will be severely tested as

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more workers and managements confront difficulties accompanying the economic crisis. The auto negotiations indicate that collective bargaining will weather the storm. Nonetheless, the GM and Ford contracts are not likely to set a pattern, if for no other reason than that the UAW negotiators did remarkably well for their members. Some strong unions—the steelworkers come to mind—may be able to match the performance, but others, I expect, will not.

THE UAW-GM negotiations, affecting 320,000 workers, started in January with much to-do over the "first time" reopening of a contract (due to expire in mid-September this year) and over a proposal linking cuts in production costs to cuts in prices for car buyers. (The linkage of cost cuts to price cuts was soon dropped. The industry has offered rebates, lower interest rates, and repair warranties to entice customers, but it does not like to cut base prices. No one wants a price war that could drive GM's American competitors out of business. UAW members would lose jobs; GM would run the risk of antitrust action. GM, too, benefits from a pricing structure that rests on the higher per-unit costs of its competitors.) Neither side, however, had much choice. The industry faced the worst year in almost twenty-five years. According to Wards Automotive Reports, industry projections indicate that only 5.15 million 1982 cars will be built, the lowest total since 1958. (During the 1970s, an average of 8.4 million cars were produced each year.) The auto companies wanted relief from costs, estimated at $20 an hour, including wages and fringe benefits, and expected to rise to $25 an hour by September. And the union feared that in September, when contracts expired, it would have little or no clout. At that time, with a large inventory, GM would be able to withstand a long strike and exact correspondingly large concessions from the union.

GM workers and local union officers, however, balked at making concessions, and so, with considerable relief, one suspects, the union turned to Ford, an easier case, covering only 105,000 workers. Ford secured a cut in wages, a giveback of up to nine "floating holidays" (standard holidays such as George Washington's Birthday and Thanksgiving were not touched), the deferment until next year of cost-of-living adjustments, and changes in work rules. Yet even though Ford workers knew that the company was in trouble, there was opposition to making concessions. "The company got into hot water because it's totally mismanaged," a Ford worker told me. He had intended to vote for rejection, but "I was impressed by the total package. It was nowhere near as bad as rumors had it."

When one recalls the industry's adamant opposition to previous demands by the UAW concerning anything that smacked of the union taking on some of management's prerogatives, one can only agree that this agreement is impressive. Ford promised not to close any plant in the next two years simply to buy cheaper parts from the outside, to give six months' notice of any intended plant closings, and to review some recently announced plant closings. It subsequently announced it would reopen one such plant.

Ford also agreed to kick in money for near-depleted supplementary benefit funds, and took significant steps toward permanent employment and guaranteed income. Workers with fifteen years' seniority or more are guaranteed up to 60 percent of their earnings if they are laid off and unable to find another job. (They must, however, accept employment offered at that 60 percent, or lose the benefit.) The company also promised a job "for life" for 80 percent of 6,000 workers at two plants. And workers are to get a share in profits when pretax earnings reach 2.3 percent of sales.

Negotiations with GM were resumed after negotiations with Ford were completed, though workers remained suspicious of company intentions. Unlike Ford, which "hurt all over," some GM plants were in fair shape. Much of the opposition to the new contract centered on final assembly plants, where labor-management relations have always been touchy and where jobs are considered more secure than, say, in parts plants likely to be closed in favor of outside suppliers.

Fraser believes the GM agreement is "better" than the Ford contract. It contains several additional sweeteners—a prepaid legal services plan, an increased employee discount on GM cars, and increased tuition benefits for laid-off workers. GM also agreed to reopen four plants scheduled to close, and to profit-sharing and income guarantees of 50 percent or more of pay for workers laid off with 15 years' or more seniority (ten years' seniority if layoff is a consequence of a permanent plant shut-down). The union yielded nine paid holidays, an annual pay increase of 3 percent, and deferred cost-of-living increases for three quarterly periods. It agreed to 20-percent cutbacks in wages and benefits for newly hired employees and to economic penalties for chronic absenteeism. Restrictive work rules are to be subject to local level negotiations.

IN PAST negotiations, national GM-UAW settlements have frequently been followed by a string of local strikes over local issues, grievances, work assignments, work rules, and the like. With management insisting on the elimination of restrictive work rules, it's likely that there will be some knockdown battles this year at the local level. If there are strikes, they may be viewed by top union and company officials as allowing the corporation to work off inventory while the workers work off steam.

UAW negotiations with American Motors Corporation were still underway at this writing. The company and the union are working out the details of a $150-million employee-investment program. All in all, the new auto contracts stake much on economic recovery. Industry analysts say that GM may save about $2.5 billion and Ford about $1 billion over the two-and-

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one-half years of the contracts. These savings are to be poured into new products and retooling programs at both companies. In this investment, along with more automation, gains in productivity, and quality improvements lie the industry's hopes for revitalization.

Next year the companies must resume quarterly cost-of-living allowances, and at the end of the contract they must pony up the deferred increases. In the income guarantees and the moratorium on plant closings, with the implicit agreement not to buy cheaper parts outside, the companies have assumed what economists call "rigidities" that could crimp competition with foreign imports. They have shown little willingness to compete by lowering prices. Unless there is a dramatic increase in sales, there will be renewed pressure from Detroit for increased limits on imports.

The new agreements embody certain expectations about the future of the auto industry: it will contain a smaller, more stable and protected work force with lifetime income and job guarantees. It will be more automated and, therefore, more productive, yielding high profits, more worker participation, and more union involvement in management decision-making. Douglas Fraser is on the Chrysler board, and the union has been drawn more deeply into decisions affecting the future of the industry through these negotiations.

High interest rates, rising unemployment, and economic uncertainty have caused demand to sink to its present dismal level. Many potential buyers are not likely to buy until they are convinced that prices have "bottomed off." But Americans scrapped an average of 7.4 million cars each year of the last decade. New cars registered averaged 9.8 million a year. The national employed work force has grown from 78 million to 90-odd million. The number of cars in use rose from 83 million to over a hundred million. These figures suggest to the industry that despite the recent depression in sales, the demand exists for automobiles. The industry hopes for recovery within the next few years. The UAW is well aware that the new contracts will not solve all of the problems that plague the auto companies, but as one official said to me: "We know that two years from now can't be worse than September 1982."

THOMAS R. BROOKS

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A new plan for nuclear peace.

THE FORK IN THE ROAD

BY ALBERT GORE JR.

War is an old habit of thought, an old frame of mind, an old political technique, that must now pass as human sacrifice and human slavery have passed. —HERMAN WOUK

BEFORE WE CAN REACH a meaningful arms control agreement with the Soviet Union, we must first reach an agreement among ourselves about what we are seeking. Four Administrations, counting the present one, have attempted to reach strategic arms control agreements with the Soviet Union. Each has come into office having rejected part or all of what was accomplished by its predecessor, and each has spent years in the pursuit of its own conceptions and political obligations. In the process, much that was serviceable and worth having has been discarded in the hope of something better. The time has come for the country as a whole to settle on some priorities in arms control—and to pursue them with as much single-mindedness as we can muster.

Advocates of an across-the-board nuclear freeze and advocates of a massive nuclear weapons buildup now believe they are engaged in a debate with no middle ground. Each side sincerely believes that the course it is recommending for the United States is the best way to prevent a nuclear war, and each side accuses the other of harboring irrational fears that could serve to make nuclear war more likely.

Freeze advocates argue that the Reagan Administration's fear of Soviet nuclear forces and of their current edge in "counterforce" capability is irrational, because it discounts the massive retaliatory power of those parts of our own nuclear force that would survive any Soviet first strike. The Administration, on the other hand, sees the freeze movement as a manifestation of

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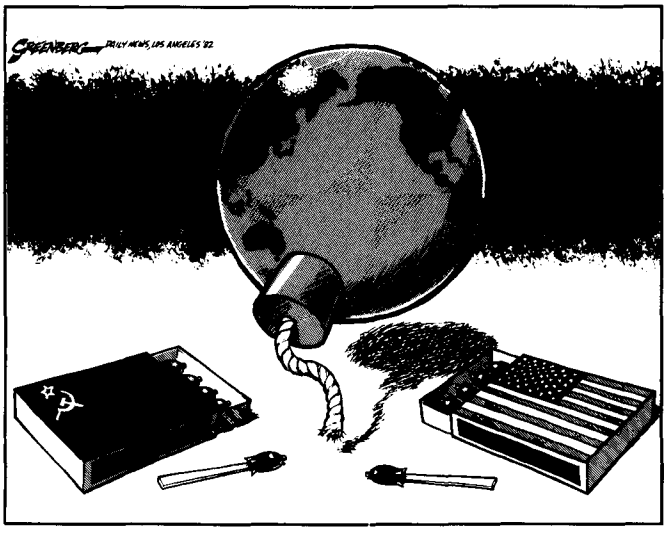
fear that is irrational in its rejection of steps which are required in order to deter the Soviets.

But amid the growing debate there are surprising signs of a possible convergence of views which might support a viable American consensus for arms control. Advocates of a freeze and advocates of a massive nuclear force buildup have more in common than they may realize.

It is obvious that the counterforce weapons now in the hands of the Soviet Union constitute the greatest source of concern to Americans. President Reagan stated this concern succinctly in his March 31 press conference: "The Soviets' great edge is one in which they could absorb our retaliatory blow and hit us again." This reference to our "retaliatory blow" obviously presumes a first strike against us by the nuclear forces of the Soviet Union.

Advocates of a nuclear freeze argue that it is madness to suppose that the Soviets would dare launch a first strike on our ICBM fields, and risk the annihilation of Russia by our submarine and bomber forces. But they cannot deny that the counterforce issue has become the focus of strategic policy in the United States and the Soviet Union, and that it is the cutting edge of the arms race. Indeed, these same critics argue against the deployment of U.S. counterforce weapons precisely because they might increase *Soviet* nervousness about a U.S. first strike.

FIRST OF ALL, we should give the President's case a careful hearing. President Reagan, like President Carter before him, knows perfectly well that our submarine and bomber forces have the ability to pulverize Soviet civilization in retaliation for a first strike against our ICBM fields. The prevailing scenario that is driving our current strategic buildup is different: if the Soviets successfully destroy our ICBM fields and our bomber bases (along with any bombers caught on the ground and any submarines in port for maintenance), and if they use only a fraction of their own ICBM force to do so, then our Commander in Chief would have a difficult choice to make. If he ordered a retaliatory attack on Soviet cities, then the Soviet ICBMs held in reserve would be loosed upon American cities, thus killing millions of people—people who might be saved if the President decided to capitulate instead. If, on the other hand, he had another option at his disposal—that of firing counterforce missiles of our own at all of the Soviet missiles held in reserve after their first strike—then he would at least have an alternative to annihilation or capitulation.



'FIRST-STRIKE CAPABILITY' / CARTOON BY STEVE GREENBERG

Many serious analysts reject this scenario, beginning with its first premises: they deny that a first strike against U.S. silos would ever look attractive to any sane Soviet leader. But be that as it may, challenges to the *logic* of a first strike have been unable to dispel the *fear* of one—a fear that is based on careful calculations that such a strike is now at least mathematically possible for the Soviets, who have equipment of the necessary sophistication, and in the necessary numbers, to do that job.

WE NOW have two weapons systems under development that are designed to give the President a "third option" of retaliating against any Soviet ICBMs held in reserve after a preemptive first strike. They are the MX missile, which is currently in search of a survivable basing mode, and the Trident II D-5 missile, to be placed aboard the new Ohio-class submarines. Neither will be deployed until the end of the current decade, and until they are, we are said to have a "window of vulnerability"—vulnerability, that is, to intimidation, because we are theoretically open to the blackmail which might follow the kind of first strike presumed by President Reagan in the scenario he noted in his press conference.

Because of their accuracy, however, counterforce weapons like the MX and the Trident D-5 are by nature potential first-strike weapons, whatever the intentions of their builders. So a side effect of our effort to close our window of vulnerability will be to open a window of vulnerability on the Soviets. Moreover, the Soviet window will be a proportionately more serious matter for them. Our nuclear forces are relatively well distributed among land-, air-, and sea-based launchers—but the Soviets have almost 80 percent of their nuclear warheads on land-based ICBMs.

Yet it is clearly not in our interest to open a Soviet window of vulnerability if our objective in all of this is to diminish the chances of nuclear war. Unless we and the Soviets change from the path we are heading down, we will create a situation in which each side will have so much to lose if it hesitates to act during a crisis that both sides will be forced to keep their nuclear forces on a hair-trigger alert. And in each subsequent crisis, fear and intentional deception will play more prominent roles.

There is an emerging consensus among both liberals

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and conservatives that we must avoid this outcome, and that we should look to arms control as the means for doing so. As the *New York Times* stated in a recent editorial, "The stability of mutual deterrence requires not a precise equality of forces but their relative invulnerability. And that should be the first objective. Specifically, talks now should aim to reduce the Soviet threat to American land-based missiles and to avoid creation of an American threat to Russia's."

It is important to note that a freeze alone, whatever its merits, would not accomplish this result. Neither would ratification of the SALT II treaty—or, to put it another way, SALT II would not alleviate the fear of a first strike which President Reagan expressed both during his recent press conference and during his campaign. Moreover, the current movement to reopen Senate consideration of SALT II vastly underestimates the opposition not only of the Administration and of powerful voices within it, but also of key Senators now in the majority, including the majority leader, Howard Baker. There is about as much chance of President Reagan and Senator Baker allowing ratification of SALT II as there is of President Reagan and Senator Laxalt resurrecting the MX "racetrack" plan.

AGAINST THIS background, I have proposed a set of detailed guidelines for a new, comprehensive strategic arms agreement between the United States and the Soviet Union—a proposed agreement which selects counterforce weapons as its focus. The proposal has two phases. The first phase is a selective freeze on any additions to the counterforce inventory of either side and on any improvements to counterforce weapons currently deployed. This might also be described as a "negotiators' pause," designed to give breathing room to the negotiators by slowing the momentum of technical development at the cutting edge of the arms race. This selective moratorium would be followed immediately by negotiations for reductions, which would begin with the synchronized dismantling of the remaining counterforce weapons on both sides, starting with the MIRVed version of the Soviet SS18. In return for substantially larger reductions on the Soviet side, the U.S. would agree not to deploy the MX or the Trident D-5, although development and testing of both would be allowed to continue as a hedge against the breakdown of negotiations. To maintain mutual deterrence, the agreement would mandate replacement of MIRVed ICBMs with a new, less destabilizing type: an ICBM carrying just one warhead.

If both sides were to carry out this change, neither would ever be in a position to make the arithmetic of a first strike work. Although either side could attack the other's ICBMs, the attacker would have to use up his entire ICBM inventory and a very large proportion of his submarine-based missiles to do the job. Detailed calculations have convinced me that under these circumstances, the side that struck first would find itself at a disadvantage even against the residual forces of its enemy.

At the same time, in order to constrain the overall nuclear force available to each side, the totals of strategic launchers—ICBMs, SLBMs, and heavy bombers—should be limited, and reduced. It seems reasonable, as a first step, to take a number already familiar to both sides through SALT II: 2,250 systems. The Soviets have already accepted this ceiling, a number which would entail a 10-percent reduction of their currently deployed launchers.

Within the contours of this agreement, each side would retain great flexibility to redesign its remaining nuclear forces if it wished to do so, in order to protect against the reappearance of the vulnerability problem. The U.S. could either continue with existing programs, or make some changes. We could, for example, rethink our decision on B-1, and we could also have a second look at whether the entire submarine-launched missile force should be concentrated in a relatively small number of large Ohio-class submarines, as presently intended.

The essential point, however, is that once each side recalculated its land-based systems by getting rid of MIRVed ICBMs, both sides would be in a much better position to continue the arms control process in an atmosphere less fraught with mutual apprehension. Moreover, the process of moving into deep reductions would already be well underway. For example, as compared to SALT II, the number of nuclear warheads available to either side would be on the order of 50 percent less.

As an interesting consequence of the reductions, the Soviet advantage in throw-weight would be substantially narrowed, and, in fact, the United States would have the ability to achieve equal throw-weight if it chose to do so. Moreover, the number of ICBMs would turn out to be equal.

All elements of the proposal are verifiable with a high degree of certainty by using a variety of methods within the scope of "national technical means." (However, the Soviets could increase the chances for ratification of this or any other proposal by agreeing to additional means of verification.)

THE CHIEF OBSTACLE to an agreement along these lines appears to be cynicism about the arms control process itself on both the left and the right. And, once again, the two sides have more in common than they seem to realize. According to Roger Molander, organizer of the "Ground Zero" movement, the overriding problem is "the basic character of the relationship between the United States and the Soviet Union." And according to strategic planners in the Reagan Administration, the principal problem is the Soviet Union's "attitude" that nuclear war is simply an extreme form of political force to be used, or implicitly threatened, in order to gain political objectives.

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It is true that the character of the relationship between the U.S. and the Soviet Union is the central problem, and it is also true that Soviet aggression has frustrated the easing of tensions. (The invasion of Afghanistan, for example, stopped consideration of the SALT II treaty, and the coup in Poland prevented an early resumption of strategic arms negotiations.)

But the possession of counterforce weapons is not merely subsidiary to the relationship between the countries. These weapons create fear and distrust in the relationship. Throughout the history of humankind, the tools we have chosen to use have affected consciousness itself. Tools shape our awareness and make demands upon their possessors. Counterforce weapons have themselves made nuclear war "thinkable" again. They are at once deadly threats and tempting targets. So long as they remain in our arsenals, each side will claw for marginal advantages over the other with increasingly bizarre and deceptive measures and countermeasures to ensure the survivability of the weapons themselves.

Although both conservatives and liberals have responded favorably to the plan I have put forward, observers in both groups have noted that one of its critical features trades Soviet systems that are already deployed, for U.S. systems that are still in development. For this reason, they have predicted that the Soviets would not give serious consideration to such a plan. This criticism overlooks the asymmetry of U.S. and Soviet strategic forces: specifically, the fact that 80 percent of the Soviet Union's nuclear military power would be vulnerable to a first strike on their land-based ICBMs, while only 25 percent of our own forces would be. This may be why a group of high-ranking Soviet arms control experts unilaterally brought up this proposal during two separate meetings with a visiting private delegation from the United States. (See box, above.)

The agreement I have proposed would undeniably reduce the likelihood of nuclear war by making a first strike against the ICBMs of the other once again "unthinkable." Surprisingly, there are some who believe that this might be unwise, for two reasons. First, they worry that if the Soviets think our nuclear forces are stalemated, then this perception might encourage them to press their luck, and that a miscalculation could then lead to nuclear war. Second, some worry that the U.S. would have no alternative in such a war but to carry out the doctrine of "Mutual Assured Destruction" by attacking Soviet cities.

It is precisely at this point that clear judgment is required to save our civilization. This is the fork in the road.

The arid language of "surgical first strikes" and "nuclear exchanges" can lull us into forgetting the devastation they would cause. Estimates of U.S. deaths resulting from strikes against missile silos alone range as high as 20 million. The number of casualties in case of a U.S. first strike against Soviet ICBM fields would also be very high. And an attack against missile silos is hardly the limit of what either side would have to do to carry out a full-scale counterforce strike. The list of priority targets would include bomber bases, submarine ports, command and control centers of both military and civil systems, and others. The civilian casualties resulting from an attack against this set of targets would add more scores of millions of deaths.

Do we really believe that the response from the victim of such an attack would be rational, measured, or constrained? That it would not be driven by rage, grief, and revenge to exact the highest possible penalties? The answer is clear. We must make nuclear war less likely, not more likely. If the Administration chooses wisely at this fork in the road, we will have a better opportunity to create a relationship with the Soviet Union which deters aggression—and which condemns war as "an old habit of thought that must now pass."

A Moscow Nibble?

Are the Soviet leaders interested in the arms control proposal outlined in the accompanying article? A group of Americans visiting Moscow on a trip arranged by the Institute for Policy Studies were told by Oleg Bykov, a leading arms control expert and director of the Institute of World Economics and International Relations, and Georgi Arbatov, a member of the Central Committee and director of the Institute for U.S.A. and Canada Studies, that the Gore proposal was "an interesting basis for negotiations." Of those Americans present, only former Representative Donald Fraser, now mayor of Minneapolis, knew much about the proposal, which at the time had appeared only in the *Congressional Record*. To Fraser's surprise, the Soviets seemed well-versed in the details of the proposal, which, unbidden, they brought up twice. They indicated that once broad arms control discussions were under way, they would be prepared to negotiate on throw-weight, counterforce, and MIRVs. This, then, is perhaps the first significant sign of Soviet interest in a particular arms reduction proposal since the signing of SALT II. If they are serious, Arbatov, their leading Americanologist and a frequent Washington visitor—the well-publicized cancellation of his visa last year notwithstanding—should make Soviet interest in the Gore plan better known here.

The Editors

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A political conspiracy comes unraveled.

THE FRAMING OF JUSTICE BRANDEIS

BY ROBERT COVER

LOUIS BRANDEIS and Oliver Wendell Holmes Jr. were the greatest American judges of this century. During the 1960s, it was fashionable to condemn Holmes for his perceived indifference to social injustice. It was perhaps inevitable that a corresponding critique of Louis Brandeis would emerge in the 1980s, for he was as passionately engaged in political life and the pursuit of social justice as Holmes was detached. Holmes was known as the "Yankee From Olympus"; FDR called Brandeis "Isaiah"—a prophetic figure with commitment to the quest for justice in an imperfect world.

A prophet's honor is always at risk. With the ballyhooed publication of Bruce Murphy's book, *The Brandeis/Frankfurter Connection,* a combination of shoddy scholarship and commercial exploitation has projected a scandal-mongering distortion of Brandeis's "political" activities onto the pages of our leading newspapers. During the week of February 14, the *New York Times* featured a front-page story, a news "analysis," and a lead editorial on the political activities of Brandeis and his close friend and protégé, Felix Frankfurter. The series began with the headline: BRANDEIS PAID FRANKFURTER TO PUSH HIS POLITICAL IDEAS, and culminated with the editorial judgment: "the Brandeis-Frankfurter arrangement was wrong." It "violates ethical standards." The *Times* faithfully reported Murphy's thesis: a month after Brandeis's ascension to the Supreme Court, he paid Frankfurter, then a Harvard law professor, an annual retainer to promote the political projects that, as a Justice, he could not ethically promote on his own. According to his thesis, from Brandeis's first days on the bench to the end of his twenty-three-year tenure, he engaged in an almost unbroken series of ethically questionable acts.

In addition to the *Times,* the *Washington Post, Newsday, Newsweek,* and dozens of other media mainstays rushed into print with the story. In doing so, the media succumbed to the extravagant claims made for the book by Oxford University Press, claims that do not stand up to the critical analysis that should have been performed upon the work by a competent press. The lack of critical inquiry exhibited both in Murphy's book and in the press's coverage of its claims raises more serious questions about current ethics in scholarship, publishing, and journalism than about Brandeis's judicial conduct.

The revelations about Brandeis fall into three categories. First, there are some which are plainly inaccurate. Second, there are some which are not news—that have been known to the public for five, ten, and, in some cases, twenty years. Finally, there are revelations which involve complex historical reconstructions about which there are differing opinions. Professor Murphy has neither disclosed nor proven the nature of the Brandeis-Frankfurter connection; he has used and sometimes misused the evidence to argue for one extreme construction of it. The *Times,* in treating history as news, has reported these matters as if they did not entail a problematic effort of the imagination. Murphy's poor scholarship and the press's irresponsible reporting have resulted in a spectacular conspiracy thesis about Brandeis and Frankfurter that is everywhere shaky and often demonstrably wrong.

The *Times* reported that during the Wilson Administration, Justice Brandeis failed to disqualify himself from the consideration of the constitutionality of "two laws, the Lever Food Control Bill and the Army Appropriations Act, *that he had helped either draft or administer*" (emphasis added). The *Times* report is not an accurate reading of Professor Murphy's book. Murphy claims only that Brandeis sat on the Lever Act cases, "despite his having earlier personally advised Food Administrator Herbert Hoover on a strategy for securing initial passage of the measure in the Senate." But Murphy himself distorted his only source, Alpheus Thomas Mason's 1946 biography, *Brandeis: A Free Man's Life.* The entire passage in Mason reads:

> Shortly after the Court's adjournment in June, 1917, Hoover had asked Brandeis to dine with him. In the course of the evening his host told of his troubles with Congress. The Food Administrator was especially insistent in his denunciation of Senator James A. Reed. 'You are but giving expression to the common verities,' the Justice observed. 'I dare say you have not plumbed Reed to the depths.' The Justice then related the story of his successful meeting with Reed at Hapgood's apartment during the nomination fight. Hoover might use a similar strategy, he

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suggested, to win political support for his food control bill then under fire in Congress.

Certainly many of us would condemn as unethical a judge sitting upon the constitutionality of a law that he had helped draft and administer. I daresay that virtually no one would condemn Brandeis because he had given this trivial bit of advice to Hoover and then sat on the Lever Act cases. Murphy leaves an impression (entirely absent in his only source) that Brandeis was a central figure in the lobbying and the politics of the passage of the Lever bill. The *Times* turns him into draftsman and/or administrator.

BOTH MURPHY and the *Times* lavish more attention on Brandeis's political influence during the New Deal than on his activities during the Wilson Administration. They accuse Brandeis of having drafted legislation; having threatened to hold legislation he disfavored unconstitutional; and having lobbied for certain pet schemes and measures. Twenty-two years ago, in the third volume of his classic work, *The Age of Roosevelt*, Arthur Schlesinger Jr. asserted that Louis Brandeis was the guiding spirit, perhaps the dominant influence in the "Second New Deal" (the legislative package passed in 1934-1935). This thesis has been generally accepted, and the fact of Brandeis's role can hardly be front-page news. The only news in Murphy's book lies in specifics. Did Brandeis exercise his influence in ways which violated the norms of judicial behavior? Where specific New Deal charges are examined, the evidence either does not bear Murphy out, or suggests alternative interpretations that are consistent with wholly ethical conduct on Brandeis's part.

The misuse of evidence is best illustrated by Murphy's treatment of the Securities Exchange Act of 1934. Murphy writes: "Since Frankfurter was abroad . . . Justice Brandeis realized that this would be one of those rare occasions when he would have to lobby for his ideas more directly and even step in as supervisor of the legislative drafting operation." Murphy then establishes that the principal draftsmen of the act, FDR advisers Thomas Corcoran and Benjamin Cohen, had regular meetings with Brandeis (both were long-time friends of his), and supports the proposition that Brandeis was directing the drafting operation with the following "proof": "In one such message Corcoran told Frankfurter: 'Long talk with Isaiah [Brandeis] sticking. Don't worry.' While the bill was being finalized, Frankfurter was reassured by Corcoran as to Brandeis's influence: 'Even if you haven't had anything but cables you can always be comfortable that I always take advice—and that I haven't moved and won't move an inch in a general course without going to L.D.B.' " The quotations from Corcoran's letters to Frankfurter are taken entirely out of context. They refer neither to drafting nor to the Securities Exchange Bill, but to consultations with Brandeis about the delicate political situation within the Administration. Dean Acheson had just been forced out of the Treasury Department for his insistence that the President's plan for gold purchases was illegal. The message, "Long talk with Isaiah . . . ," was actually a telegram Corcoran sent as a follow-up to one he had sent the previous day. The full texts of the two telegrams from Corcoran to Frankfurter are:

> DEAN FORCED OUT MORGENTHAU SECRETARY MAY CALL YOU LATER TODAY TOM (NOVEMBER 15, 1933).
>
> NOT CALLING LONG TALK WITH ISIAH STICKING DONT WORRY TOM (NOVEMBER 16, 1933).

It is clear that both telegrams refer to Dean Acheson's ouster. It is also likely that Murphy has mispunctuated his quotation from the second wire. (The telegram has no punctuation.) If we are to supply punctuation, it probably should read: "Not calling. Long talk with Isiah. Sticking. Don't worry. Tom." The word "sticking" likely refers to Corcoran's decision to remain in his position in the Treasury Department rather than to quit or seek a move in response to Acheson's ouster and Morgenthau's elevation. There is no reason to believe that this message relates to the drafting of the Securities Exchange Act.

Corcoran's assertion that he won't "move an inch" without going to L.D.B. is also taken out of context. It is part of a very long letter which begins with a reference to the Treasury shake-up and a promise to tell Frankfurter all the news, goes on to the quoted passage about Brandeis, and finally provides a long account of Acheson's ouster from Treasury. The consultations with Brandeis almost certainly involved Corcoran's personal situation in an Administration in flux. One may, of course, argue that a Supreme Court Justice should not advise young people with whom he has had long and close relations about such matters, but that is a different question from whether a Justice should supervise the drafting of legislation, and Murphy provides no evidence to show that Brandeis did so.

EVEN THE proposition that Brandeis "lobbied" for his ideas on the Securities Exchange Bill is largely unsupported. Brandeis did talk about the general subject of securities regulation with Secretary of Labor Frances Perkins, as Murphy states. But the Justice's two-sentence account of that conversation to Frankfurter does not reveal anything beyond the general and casual. Murphy also cites a letter to Frankfurter from Max Lowenthal (an aide to Senator Fletcher working on the bill) as evidence that Brandeis directly lobbied for more stringent regulation. The Lowenthal letter describes a meeting with Brandeis, but does not support Murphy's contention. Lowenthal relates only that Brandeis listened carefully and was eager to hear more about his work. The evidence supports what we have long known about Brandeis: he had an insatiable

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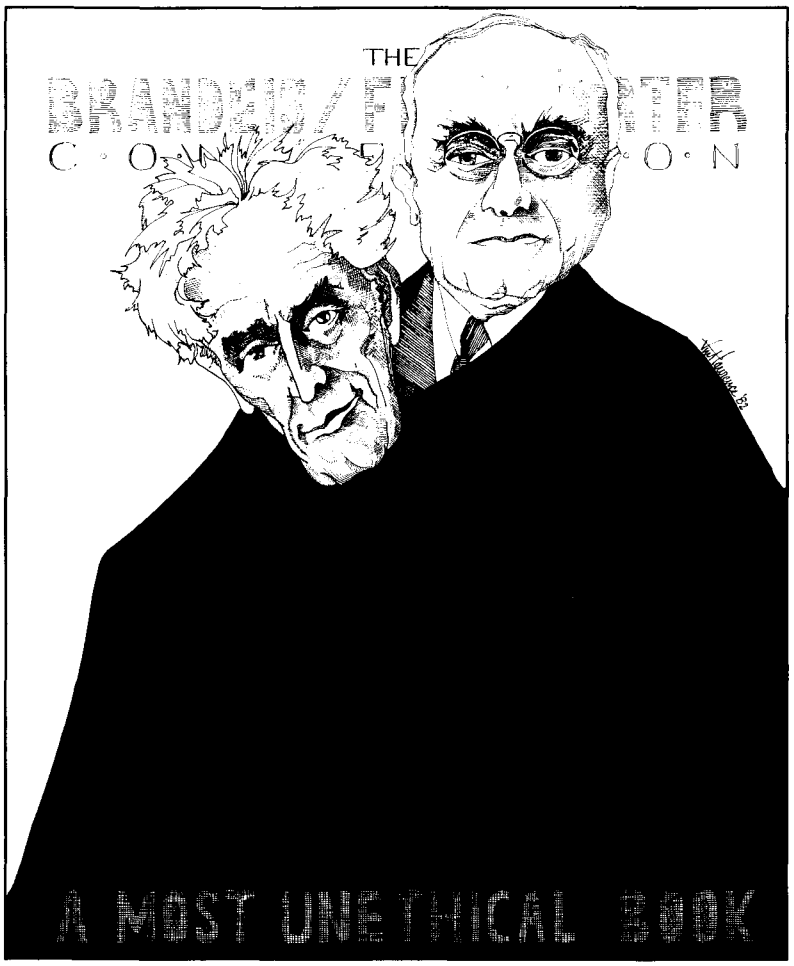
thirst for knowledge about the work of others.

Murphy asserts that Brandeis expressed his personal displeasure with the pending Public Utilities Holding Company bill in a conversation with John J. Burns, general counsel to the SEC. But Murphy's only source, a letter from Burns to Frankfurter, contains no mention of the Justice speaking about the pending bill. The letter says that Brandeis spoke about his antibigness philosophy and the uses of taxation as a regulatory weapon. Burns asserts *his own* doubts about the pending legislation without any mention of Brandeis.

These inaccuracies are not isolated instances. Moreover, even those important assertions that rest upon real evidence are the product of a selective method which ignores all but the most damning, conspiratorial interpretations.



DRAWING BY VINT LAWRENCE FOR THE NEW REPUBLIC

The press prominently reiterated Murphy's claim that Brandeis threatened to declare New Deal legislation—especially the National Industrial Recovery Act and the Agricultural Adjustment Act—unconstitutional. More than any other allegation in the book, this charges Brandeis with *misuse* of his power as a judge. It is a particularly serious charge to make against a Justice who frequently railed against those who used the power of judicial review to promote their personal policy preferences.

The statement that Brandeis threatened to hold legislation unconstitutional appears in a letter from A. A. Berle Jr. to President Roosevelt. What Murphy does not tell us is that the Berle letter begins as follows: "Mr. Justice Brandeis has been revolving matters in his head and I think requires some attention. *At all events, he stated his view to Jerome Frank the other evening, asking to see me and Rexford Tugwell. His idea was . . .*" (emphasis added). A summary follows of Brandeis's growing dissatisfaction with the New Deal and the threat to hold legislation unconstitutional. It is not at all clear from the letter whether Berle met with Brandeis, or whether he simply passed on Brandeis's views as he heard them from Jerome Frank. This letter is dated April 23, 1934. An entry in Rexford Tugwell's diary dated April 26, 1934, states: "The other day Brandeis sent word, in effect, that he was declaring war. *It came through Gardner Jackson to Jerry Frank* and myself" (emphasis added). The Gardner Jackson oral history contains a detailed description of one conversation between Brandeis and Jackson, in which Brandeis told of his general concerns with the agriculture policy under the Agriculture Adjustment Act and urged Jackson to *transmit his concerns to Frank and Tugwell, among others.* Jackson confesses to some confusion about the dates of conversations. (The oral history was given, of course, many years after the events.)

From this information, it is possible to reconstruct the events in a number of ways. Murphy places the meeting related in the oral history in the spring of 1933, before passage of the act. He treats the April 1934 events as two additional actions of Brandeis: a warning to Tugwell via Jerome Frank and Jackson, and a conversation first with Frank, then with Berle. It is more likely, however, that Brandeis took only one action in April 1934: a conversation with Gardner Jackson, who was a regular visitor and old friend. Jackson passed on Brandeis's concerns to Jerome Frank who, in turn, saw Tugwell and Berle. Tugwell asserts that this was how he received his information, and Berle asserts that at least his initial information came from Frank as intermediary. Thus, both Tugwell and Berle may be responding to secondhand or, more probably, thirdhand reports of some Brandeis comments. They convey the same tone, but differ in specifics. It is likely that both are reporting characterizations of Brandeis's remarks rather than the remarks themselves. If the actual remarks to which they are responding are substantially those recalled by Gardner Jackson in his oral history and placed a year earlier in his uncertain

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chronology, they were indeed vigorous and opposed to Administration policy. They could easily have been characterized as Brandeis on the war path, though not as a threat to nullify legislation. The hostility could have generated concern on the part of Jackson—a notoriously excitable man—or, later, secondhand, on the part of Frank, about Brandeis's position with respect to constitutionality. There is a final point. A threat by Brandeis to hold the New Deal unconstitutional would have been out of character. In all Brandeis's concerns for a proper legislative program, no remotely analogous threat is to be found. Moreover, Brandeis did in fact vote in favor of the constitutionality of the AAA, a point Murphy concedes, without exploring the possibility that it casts doubt on his scenario.

Of course, my account also demonstrates some of the pitfalls attending active involvement in affairs by a Justice. But running the risk that a Gardner Jackson or a Jerome Frank will *misunderstand* one's concerns as a threat to nullify is a far cry from actually threatening to misuse the extraordinary powers of the Supreme Court to hold legislation unconstitutional. Murphy's "slant" and the sensationalizing of his account by the *Times* have hidden the ambiguity of the sources and the tentative nature of any conclusions.

THE MOST spectacular "revelation" of *The Brandeis/Frankfurter Connection*—the point seized upon by the *Times* and others—was the so-called secret payments Brandeis made to Frankfurter. Murphy is not the first scholar to reveal or discuss these payments. The most important of the letters have been in print for over five years. Moreover, these payments may not have been all that secret. Since the furor over Murphy's book, several people have come forward with evidence that the payments were known to some contemporaries, and that Frankfurter spoke rather openly of Brandeis's financial support of his work. In any event, it is clear that regular payments were made for a number of years. (The sources Murphy cites do not disclose, however, whether the payments continued until 1938, as he alleges.) It is not at all clear that these payments were made so that Frankfurter would promote (in the *Times*'s words) "political, social and legislative programs the Justice could not ethically espouse on his own." There is, in fact, little evidence about what the payments were for.

Brandeis and Frankfurter both refer in letters to the Justice's support for *Frankfurter's* public interest activities. There is only one letter, in 1927, in which Brandeis writes of "joint endeavors through you." The question raised by these letters is the extent to which the Justice's suggestions to Frankfurter for action, research, or teaching differed in nature—because of these payments—from the thousands of suggestions Brandeis made to dozens of other people.

Much of Murphy's thesis depends upon the simple logic that whenever Brandeis made a suggestion to Frankfurter which Frankfurter later pursued, then the action may be attributed to Brandeis. If Frankfurter had simply been an employee, as Murphy seems to suggest, the logic would be compelling. Once we posit a virtual father/son relationship, the reasoning becomes more complex. For Brandeis may have seen himself primarily as helping Frankfurter, not as purchasing influence. It is striking that the prior scholarship that has used these letters, including an article by Murphy himself, in collaboration with David Levy, does not rush to the simple judgment that the payments were a deliberate conspiracy to facilitate improper political ends. Indeed, the condemnatory tone and the conspiracy thesis in Murphy's new book contrast sharply with the balanced and, I believe, more plausible, reconstruction of the payments presented in the article he published two years ago.

In *The Brandeis/Frankfurter Connection*, Murphy depicts Brandeis, a new Justice in 1916, casting about for a way to remain politically active despite his new position. He then describes the first payment to Frankfurter, and characterizes this and ensuing contributions as "designed to free Brandeis from the shackles of remaining nonpolitical while on the bench and to permit him to engage freely in political affairs simply by sending to Frankfurter a letter filled with suggestions for various programs." He also writes of Brandeis's "employing Frankfurter."

Levy and Murphy draw different conclusions in their 1980 *Michigan Law Review* article:

> . . . Brandeis once referred to Frankfurter as half brother, half son, and he probably regarded his payments to Frankfurter in the same way as those he regularly made to less affluent members of his family. Certainly Brandeis never regarded Frankfurter as a mere employee, nor could he objectively do so. Brandeis never asked the professor to undertake projects or to act on suggestions that did not command Frankfurter's independent approval and allegiance. Frankfurter also embarked on reform activities on his own initiative. . . . In no sense, therefore, could Brandeis think of Frankfurter as being on a salary, taking money in exchange for the unquestioning performance of assigned duties.

Levy and Murphy are hardly apologists for Brandeis and Frankfurter. They quite correctly ask whether the entanglement of such a complex relation—which touched upon many issues potentially related to the Supreme Court's work—might not impair the judgment of the Justice. But it seems to me that the question posed by the article is exactly the right one, while the

COMING:

Timothy Noah on Colorado Federalism.

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accusation of the book, like all easy pieties, misleads us. The article raises the kind of ethical question that sometimes arises when intelligent and generally principled people try to balance conflicting personal and professional demands. Levy and Murphy enable us to understand how a great Justice who intended no violence to his role on the Court may have engaged in conduct that now seems questionable.

THERE IS A distinction between an intellectual community and a political conspiracy. The Levy-Murphy article respected that distinction. Murphy's book, and the *Times*'s recapitulation of his argument, do not. Tom Corcoran, Ben Cohen, Jim Landis, Max Lowenthal, Dean Acheson, and principally Felix Frankfurter were under the moral, intellectual, and psychological influence of a figure who dominated the world of public law. This—not $3,500 a year to the man he thought of as brother and son—was the source of Brandeis's influence. But to say that is to ask, not answer, a question. At the very least Murphy's claims confirm Arthur Schlesinger's original conclusion that Brandeis's intellect and commitment were the dominating influence on the Second New Deal. Even if he were neither draftsman nor puppeteer to Frankfurter's Pinocchio, he was surely involved. Are we to pass judgment upon Brandeis, condemning that extensive political involvement as "unethical"?

Because courts—and especially the Supreme Court—make new laws and decide disputes in a single act, judicial ethics suffer from the tensions of uneasy compromise. Judges are not permitted to have any concrete interest in the outcome of the litigation, but they commonly have strong, sometimes public views about the law, even when the only real issue between the parties is precisely what the law ought to be. Prevailing judicial ethics do permit judges to be advocates for "improvement of the law," for changes in law administration and court jurisdiction.

Extrajudicial political activity by judges will always lie within contested terrain. The range of human activity that we commonly call "political" includes some matters that are analogous to the core ethical proscriptions against judges having a private interest in one of the parties. For the government is the most important—and the most problematic—litigant before the Court. A judge who is "political" in the sense of "regime identification" may pervert justice in the same way as a judge who is related to or has a financial interest in one of the litigants. Regime identification is harder to decipher than kinship or financial interest, so there would be good reason to impose stringent rules to prevent it. The independence of judicial salary and tenure, guaranteed by the Constitution, are designed with this in mind.

Louis Brandeis was not a President's pal, a crony, a man whose "political" influence depended upon sycophantic regime identification. He did not buy influence with personal loyalty. His extraordinary influence in the Second New Deal came from his intellectual vision and his moral authority. Young people came to him, and listened to him, knowing that his advice and example might cost them their jobs, as it did in the case of Dean Acheson and perhaps Gardner Jackson. Law and justice were always political for him in the noble sense. They were a part and product of public life, inseparable from the world of ideas about that public life. He could not and did not cease instructing others in those ideas and in their implications for action. But he did not draft bills or administer programs. His advice and suggestions to those who did (including Frankfurter) was the advice of teacher and friend, not the instructions of master to servant. And, above all, Brandeis never perverted justice—never *misused his judicial power*—which is after all the central, though not the only, concern of judicial ethics.

It has been months since the initial headlines. The *Times* has since reported that an Oxford University Press editor pushed Murphy to make the book sexier than the original manuscript; that the book was reworked to open with a reference to the scandal of Justice Fortas's resignation under fire. The late Abe Fortas did have some of the qualities of Louis Brandeis, including, perhaps, his passion for social justice. For whatever reasons, however, he also accepted money, while he was a Justice, from the foundation of a potential litigant. That, and not his "political" activity, was the reason he resigned. If Oxford Press is responsible for the Fortas opening and the differences in tone and emphasis between Murphy and Levy's article and the book, I would wonder about its own publishing ethic. Turning decent scholarship into spectacular conspiracy may sell 50,000 copies in the first printing. Is that the purpose of a university press?

BUT I WONDER more about the *New York Times*. It is so obviously in the interest of publishers and authors to inflate their claims, to be less than fair and balanced in assessing evidence if they may thereby draw attention to a book that otherwise might drop without a trace. Of course, some historical revelations *are* of general news interest, and equivocation hardly sells papers. But that is all the more reason the *Times* must critically assess spectacular claims, and entertain a healthy skepticism about conspiracy theses. For the *Times* did not simply report an author's thesis. It wrote an editorial and made that thesis its own. As important as critical capacity is the ability to wait, to refuse to do history by the tempo of the news deadline.

And, of course, there was no public need for immediate action. If the Brandeis/Frankfurter story had appeared in the *Times* a week or a month later, the only harm done would have been the risk that a less careful newspaper might scoop the *Times*. One of the first ethical demands of a profession is simple competence, as Louis Brandeis well knew.

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STANLEY KAUFFMANN ON FILMS

Pryor Engagement

The likable outlaw and the hooker with the heart of gold ride off together to possible happiness. So ends *Stagecoach* with John Wayne and Claire Trevor. So, too, ends *Some Kind of Hero* with Richard Pryor and Margot Kidder. Both films share the feeling that two people on the wrong side of society will try to make their own right society. There's a further resemblance: like Wayne, Pryor is a Good Guy whom the unjust world has turned into a Bad Guy.

Some Kind of Hero
(Paramount)

The Arrest
(Serge Frankoff)

Otherwise, *Stagecoach* and *Some Kind of Hero* are widely dissimilar films; but what's interesting is that these dissimilar films end with identical resolutions. If we work backward from the ending, it's revealing to see how two disparate eras—1939 and 1982—reached that same resolution. One difference, hardly minor: Pryor is black and Kidder is not.

Pryor's film, adapted from James Kirkwood's novel of the same name by Kirkwood and Robert Boris, tots up a series of contemporary injustices that press him to his own system of justice. In *Stagecoach* Wayne breaks out of prison to avenge his brother's murder. In *Some Kind of Hero* Pryor is released from prison and then is legalistically "murdered" himself. He spends some years as a P.O.W. in North Vietnam. After release, he is brought home and glad-handed. Then he finds out that: his mother has had a stroke and is about to be evicted from a rest home for nonpayment of bills; his wife has left him for another man, taking Pryor's daughter whom he has never seen; he must undergo harsh military inquiry because in prison he signed a confession of American guilt, though we have seen him frequently refuse to sign—complying at the last only as a means of getting medical aid for a dying cellmate. But the fact of the inquiry delays the back pay that he very badly needs for his mother and to set himself right. Wayne has one focus of revenge, the Plummer gang; he has broken out of prison to kill them. Pryor has no one focus: he's fighting fog, the System. Times have changed, not only since 1939 but since the Western. There are no more villains; there are only soft-voiced people with fuzzy answers to drive you crazy.

While Pryor is bouncing around Los Angeles, waiting and hoping—hoping for a while, anyway—he meets Kidder, a high-priced bar girl, who likes him and takes him home for the night as a friend. She tries to discourage further visits, but she likes him too much to refuse him her phone number. Pryor, harassed and angry, concocts a scheme to steal a lot of money without hurting anyone other than some killer types. He gets himself into serious trouble but gets himself out—the equivalent of his "shootout"—and finds Kidder waiting. They drive off, not in Wayne's team-and-buckboard but her sports car.

This is a comedy. That's not all that's amazing about *Some Kind of Hero*: what's more amazing is the interaction between Pryor and the script. That script is only stitched together and is uncertain in tone. Pryor, by sheer force of talent, acts *on* the script the way a great tenor acts on a rackety opera libretto to give it wholeness and to make us care.

It's been said that in this film Pryor shows he's more than a comedian, he's a serious actor. For me, that statement coarsens the truth: he never stops being funny when he's serious, or vice versa. For instance, when he's a P.O.W., there's no *Stalag 17* buffoonery, no cartooning of the captors (under Michael Pressman's direction); Pryor is in a harsh prison and there's no question about it. Yet a counterpoint of "What the hell am I *doing* here?" a tacit yet urgent sense of the idiocy of the world, gives the sequences a nonrisible cosmic comedy. And the risible comedy, like a holdup in a men's room, is made funnier by the desperation behind it.

It isn't enough to say that Pryor is better than his material: he *is* his material. I don't want to excuse previous execrable scripts like *Stir Crazy* or *Bustin' Loose* or even the better though thready *Hero*. But all he needs is a series of scenes that he can *use*—with some sort of rising graph, if possible—and if that material is congenial, he will fulfill it scene by scene. He doesn't need, possibly would be hampered by, thoroughly developed material. I hope that no one will go mining novels and drama—*The Confessions of Nat Turner*, Gawd 'elp us, or *The Emperor Jones*—for the Big Vehicle that Pryor has been awaiting. He isn't waiting for anything; he's doing very well with whatever comes along. Some great comic actors, like Chaplin and Keaton, are at their best in developed work; some, like W. C. Fields, make silk purses out of whatever sows' ears come along, *themselves* make the wholes out of the parts. Fields would only have been burdened by as integrated a work as *City Lights* or *The General*.

But this doesn't mean that Pryor is at his best in filmed records of his stage appearances. The latest, *Richard Pryor—Live on the Sunset Strip*, has a sprinkling of high spots—the animal imitations, a scene with the Mafia—but the direct confrontation of Pryor and audience encourages sentimentalities in him, both of heart-tug and profanity. Also, it puts a double load on him, of performing and being the whole show as well. I

FILMS WORTH SEEING

Diner. Baltimore, 1959. Six young men "hanging out" together on the edge of maturity. Occasionally contrived, utterly sexist, colloquially pungent and funny.

Mephisto. Germany, 1930s. The rise and reign of an actor-director under Hitler (based on fact). Not quite the moral parable it wanted to be, but vivid and full of energy.

Passione d'Amore. Italy, 1860s. A cavalry officer, with beautiful mistress, becomes involved with unbeautiful other woman. An antiromance about romanticism.

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don't mean that he improvises everything in these shows; he uses some of his standard bits. But the selections, the relative lengths of bits, the pacing, all make demands on him that he has to keep in mind while he's also performing, with no help from anyone else.

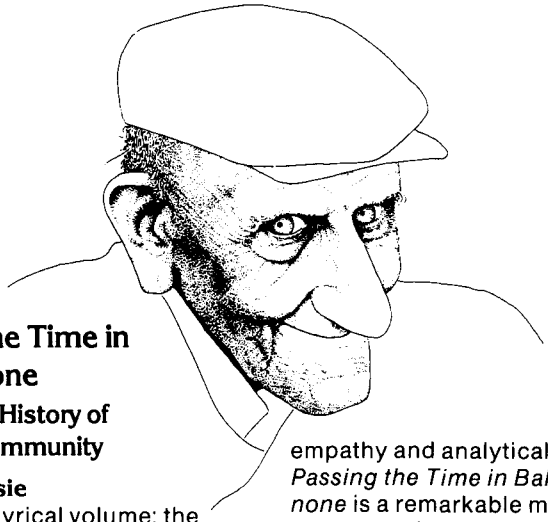
Many cultures have developed genius clowns who do much more than make their audiences laugh, they remind and chide and reassure and rive—Karl Valentin in Brecht's Bavaria, for instance, Dario Fo in terrorized Italy today. In his own style, vastly empowered by film, Pryor is becoming our culture's prime clown and actor and (as particularized above) screenwriter. I know that I've come a long way from the *Stagecoach* comparison at the beginning, but that's less my discursiveness, I think, than Pryor's range. Partly because he is black and uses his blackness as he does, largely through his powerful talents, he is making his films into some of the best political art we now have, whatever the scripts may literally be.

When Margot Kidder appeared in *Superman*, I noted that she looked more like a hooker than like Lois Lane. From my mouth to Paramount's ears.

The Arrest is a first feature, written and directed by Raphael Rebibo who was born in Casablanca, was graduated from the Institute of Cinema and Photography in Jerusalem, and now lives in Geneva where this picture is set. It's a rather familiar and simple story about the lurking, terrible power of the state over the individual's life. In an unnamed country (though the license plates are Swiss) a young writer is suddenly arrested, imprisoned, interrogated, beaten, and is never told why. Then he is released as arbitrarily as he was arrested when it's discovered that his arrest was because of mistaken identity. The experience is a voyage of inner discovery by the writer, well played by Bernard Le Coq, along with discoveries about his girl friend and other friends.

In the issue of January 27 I reviewed *Opera Prima* by Fernando Trueba, which was his first film seen here, though the sixth that he had made. Trueba's film was a very belated New Wave piece, directed with unmistakable competence. *The Arrest* is an equally redundant story—an echo of Kafka—but it too shows unmistakable competence. Like Trueba, if Rebibo can find fresher material, he has the ability to film it.

The Lore and Lure of Ireland



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DETAIL FROM 'PROCESSION OF THE KNIGHTS OF THE GARTER' (LORD LISLE IS SEVENTH FROM LEFT) / COURTESY OF THE NEWBERRY LIBRARY, CHICAGO

Lust, plunder, intrigue, torture, and heresy: the life and times of Lord Arthur Lisle.

TERRIBLE TIMES

BY LAWRENCE STONE

ONE DAY in about 1930 a determined young woman named Muriel St. Clare Byrne took a decision that was radically to alter her life for the next half-century, and eventually to lead to the production of one of those very rare intimate records of the past that raise the dead from their graves and bring them vividly before us. Miss St. Clare Byrne had been a student at Oxford University and was known as the author of an agreeable history of Elizabethan social life. She planned to make a small selection from the mass of private correspondence of the Lisle family which had found its way into the state papers in 1540. Miss St. Clare Bryne worked her way methodically through the three thousand letters for almost a decade until the outbreak of World War II forced her to halt, since the state papers were ordered evacuated from the Public Record Office in London to the countryside for safety against German bombs.

In 1941, at a time when England was on the verge of collapse before the onslaught of Hitler, T. S. Eliot, then an editor of the publishing house, Faber & Faber, came to hear about the suspended project. Exhibiting that wholly irrational faith in the future that saw England through this crisis in her history, Eliot persuaded his firm to sign a contract for publication. When the war was over, Miss St. Clare Byrne resumed her labors, but by 1965 publication costs were rising and Faber thought it prudent to seek an American publisher with whom to share the risks. Mr. Roger W. Shugg, then director of the University of Chicago Press—"in a lighthearted moment," as he recollects—agreed to take it on, apparently in the belief that what was envisaged was merely a single-volume selection of the letters. Finally, in 1972, Miss St. Clare Byrne's forty years of labor were completed when, at the age of 76, she triumphantly deposited upon her dumbfounded publisher's desk no fewer than twenty-three thick volumes of typescript in faded pasteboard covers, each held together by a large metal fastener. A copy editor was set to work, the first task being to number the pages consecutively. Page 3,357 was reached, but the end was still not in sight. Faber & Faber struggled on for three years, but eventually were forced to throw in the sponge: it was just too much for them to handle. And so, in 1975, the crucial decision was made by Mr. Morris Philipson, the new director of the University of Chicago Press, to take over the whole burden, estimated at a cost of $100,000 (which by the time the book finally appeared in 1981 had risen to $200,000).

That the twenty-three bundles of typescript got there at all is little short of miraculous, for the endeavor had barely escaped two potential disasters. The first occurred in 1939, when some nincompoop official in the Public Record Office secretly decided not to evacuate the original Lisle letters for safekeeping during the war, along with all the other state papers, on the grounds that they were merely family documents and therefore of no national importance. As a result, for five years they had remained in London at the mercy of any stray bomb or rocket. The second happened in 1975, when Miss St. Clare Byrne entrusted a large valise

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Lawrence Stone is Dodge Professor of History at Princeton University and author of *The Family, Sex and Marriage in England, 1500-1800* (Harper & Row Torchbooks).

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containing the twenty-three bundles of typescript to a friend headed for Chicago. They formed her only complete copy, and had they been lost in transit, the whole venture might well have collapsed.

There followed four years of intensive copy editing, checking of cross-references, and general cleaning up of the manuscript, some of which was over thirty years old. The end product is six magnificent blue and red volumes, beautifully typeset and a joy to handle, embracing two million words of one of the truly imperishable records of our past. Its preservation, preparation for publication, and final production in 1981 are a tribute to the preserving efficiency of the English bureaucracy over four-and-a-half centuries; the lifetime work of one erudite and indefatigable scholar; the skill and patience of copy editors, designers, and other publication technicians; the reckless courage of one director of a press, Mr. Philipson of Chicago; and the farsighted philanthropy of the Regenstein Foundation and other American donors, who provided two-thirds of the production costs. Each one of these has helped to make possible the publication of 2,500 sets of six volumes each, costing $300 a set, 2,000 of which have already been sold. Virtue has for once been rewarded, and the risky venture has already paid off.

BY AND LARGE, historians do three things. They try to establish *why* things happened the way they did: why the fall of Rome; why the modernization of the West; why the French Revolution; and so on. These are not easy questions, and indeed they may in the deepest sense be unanswerable. History resembles a natural science in that its explanations are hypothetical and tentative: Newton can always be modified by Einstein. But history is very unlike a natural science in that its hypotheses cannot definitely be proved by repeated testing of the experiment. One cannot rerun the American Revolution to check that it always turns out the same way, given the same conditions. Nor can one modify one or more of these conditions to see what would have happened if George III had been less intransigent, or George Washington less able. Finally, only a very few, rather modest problems can be conclusively solved by the method of quantification which is basic to scientific proof.

Second, historians try to establish *how* things happened, a much easier task and one which is the bread and butter of the profession. The surviving data can usually provide adequate evidence for a fairly accurate factual narrative of the what and the how.

Third, historians are increasingly attempting to uncover what it was like to have lived at certain times in certain places. They painfully reconstruct the character formation, the thought processes, the values, the lifestyle, and the behavior of the dead—that is, they attempt to recreate the very texture of human life as it was lived by organisms which have long since turned to dust. For this task they depend upon the chance survival of some very rare and special kinds of evidence, of which the Lisle letters are one.

WHY TODAY in 1982 should we care about the intimate doings of one English aristocratic family over a seven-year period from 1533 to 1540? The first reason is that immersion in their lives enlarges our understanding of human experience in the past, and thus helps us better to understand ourselves and our society, and to locate ourselves in time. There are plenty of collections of papers which tell us how ordinary people in the past lived their ordinary drab lives. But there are only a handful that display the struggles of a family to survive amid a great national crisis, and reveal how the private and the public inexorably intersect, often with disastrous consequences. There are the tough resilient patriarchs and stubborn children of the Paston family fighting tooth and claw to survive amid the lawless chaos of fifteenth-century Norfolk. There are fussy, dictatorial Sir Ralph Verney and his kin trying to preserve estates and family during the English Civil War and its aftermath. There are the Adamses, supporting each other through the trials of political crisis and war leading up to and during the American Revolution. There are the Joneses, whose vast correspondence reveals their tormented responses to the problems of the South before and during the American Civil War. Of course there are others, but they are few and far between. With the Lisles, one more family can be added to the slim list of historical witnesses.

The correspondence covers exactly seven of the most tormented years in English history: the period during

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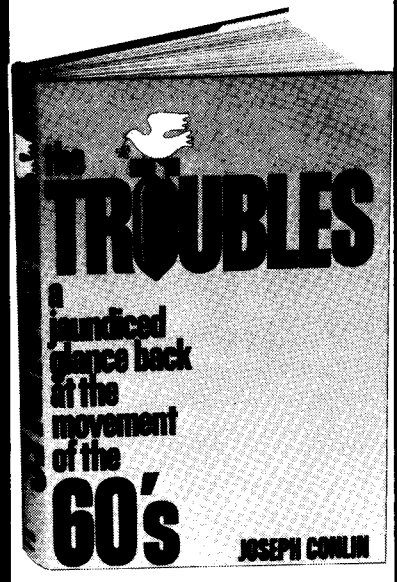
reveals the 60's rad-lib-student "Revolution" to be a colossal sham



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which Henry VIII decisively broke with Rome and established himself as Supreme Head of the English Church; in which he seized for the state Church property which may have amounted to between one-fourth and one-third of all the real estate in the country; and in which he halfheartedly opened the floodgates for Protestant propaganda by ordering a translated version of the Bible to be placed in every church, and by tentatively allowing, and then trying to repress, the flowering of Protestant religious ideas. At the same time there was a massive concentration of government at the center, with the final incorporation of the North, the West, Wales, and Ireland under London-based national control. It was also a fearful period of blood-soaked, arbitrary tyranny, changes of royal policy or wives being signaled by the drum beat of confessions extracted by torture, and of vengeful executions. For the Lisles, public and domestic affairs were at all times closely intertwined, and at the end they came together in a shattering climax in 1540.

SOME HISTORIANS have called these years the age of the Tudor Revolution in Government, and of the establishment of the sovereignty of the King in Parliament. Others have called it the apogee of Tudor despotism and the Age of Plunder. The Lisle letters throw decisive new light upon all these interpretations. That these letters have survived at all is largely fortuitous, caused by two accidents. The first is that the leading actors, Lord and Lady Lisle, were in Calais for these seven years, and were obliged to keep up their ties to the court and to their patrons, clients, agents, friends, and tenants in England by letter rather than word of mouth; and the second accident is that in 1540 all Lisle's papers were seized by state officials to be sifted through for evidence to support a charge of treason.

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The resultant haul is neither complete nor uncensored. Large numbers of letters from the leading minister of the crown, Thomas Cromwell, are missing, presumably skillfully extracted from the file during the course of examination lest they might incriminate their author. Others by Lord Lisle himself are also missing, presumably set aside to be shown to the King, and never replaced in the files. Moreover, the surviving letters are less than illuminating upon the great events of the day. In a stifling and fearful atmosphere of conspiracy, sudden arrest, torture, and execution for a mere word or sentence out of place, prudence dictated that little or nothing of importance should be committed to paper.

FROM 1535, as the clouds darkened and Sir Thomas More and Bishop John Fisher were sent to the scaffold, Lisle's agent in London became more and more cautious, often refusing to put any news at all in his letters. "The matter I send your Lordship word of by mouth," he wrote. He explained that if he passed on news, "I thereby might put myself in danger of my life, and also put your Lordship to displeasure," for several men had found themselves in the Tower of London "for publishing abroad of news." Viscount Lisle, by nature the most open of men, was warned by an influential well-wisher that "you must keep all things secreter than you have used," if he wished to keep out of trouble. He took the hint, and many letters were probably burned upon receipt.

In her editorial capacity, Miss St. Clare Byrne has exercised consistently sound judgment. She has selected some seventeen hundred letters out of three thousand to keep the edition to an even barely manageable proportion, and she has printed them in modernized spelling and punctuation, with occasional examples of what the originals look like. Without this treatment they would have been utterly impenetrable to the average reader. Dictionaries had not yet established even the rudiments of standardized spelling, and phonetic transliteration was very common. How many modern readers would immediately identify "the Pop" as the Pope, or deduce that "for agges" means "for a guess" and "vthe" means "youth," or could patiently endure to read Calais spelled in nineteen different ways? Another correct decision was to keep to a chronological order, but to group together whole sections of correspondence which deal exclusively with the education and careers of the children.

The most important decision of all was to include as much commentary as text—a million words of text and a million words of introductory remarks, appendices, footnotes, and miscellaneous illustrative and explicatory material. We read as much of Miss St. Clare Byrne as we do of the Lisles and their correspondents. But for this we should be grateful, for she draws upon her fifty-year familiarity with the archives and the period. She plugs the gaps, describes the previous and future careers of the actors, offers her interpretation of their characters, investigates the background of the lawsuits, explicates the quarrels, and generally makes intelligible even to a reader ignorant of the period the whole complex story with its cast of hundreds and its dozens of plots and subplots. The letter-writers range from an Exeter merchant who spent all seven years trying, in the face of an unbelievable chain of disasters by shipwreck, false imprisonment, and the hazards of war, to recover some cannon abandoned in Italy, to a poor spinster daughter trying vainly to establish herself in peace in one room of the old family manor house, to the infinitely complicated legal chicanery of Sir Edward Seymour (later Lord Protector Somerset) to defraud the Lisles of their Basset inheritance, to bureaucratic infighting within the council at Calais and within the court at London over personal claims for position, money, or power. Like an old and reliable sheepdog, Miss St. Clare Byrne steers her readers through the thickets and over the hills. Without her at our elbow at every turn we should all soon be lost, even if we cannot help occasionally being irritated by her nannying ways. Her commentaries are as important as the letters themselves in rounding out the picture.

IGNORING for the moment the dozens of often eccentric and bizarre individuals who flit briefly across the stage, who are the main characters in the play? Although overshadowed by several more powerful personalities, the central figure is Arthur Plantagenet, Viscount Lisle, Lord Deputy of the town of Calais, England's last fortress outpost on the coast of continental Europe. The illegitimate son of Edward IV by a gentlewoman, Lisle was uncle of Henry

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VIII, and the last man alive to bear the Plantagenet name, that of the royal dynasty previous to the Tudors. As such he must surely have been a source of some suspicion to the Tudors. Miss St. Clare Byrne brushes aside any possibility that he might have had claims to the throne, but the idea is not altogether farfetched. Henry VII himself derived his claim from an illegitimate grandson of Edward III, and in the 1520s Henry VIII was apparently contemplating the possibility of making his illegitimate son Henry, Duke of Richmond, his heir. This was a sufficiently credible option to cause it to be rumored that the young man's death in 1536 was a result of poisoning by Anne Boleyn to clear the way for her baby Elizabeth. If illegitimacy was no bar to the throne for the Tudors, then a Plantagenet might also one day be tempted to stake out a claim. Small wonder that both Henry VII and Henry VIII chose to keep Arthur Plantagenet close to their side at court.

IN FACT, however, he was entirely harmless—a genial, affable, feckless, hospitable, insecure worrier of a fellow, who was no danger to anybody and was loyal to the core of his being. His simple-minded loyalty, his open hospitality, his life-long friendship with Henry VIII, his relative indifference to religious change, and his wife's connection with Anne Boleyn made him an ideal choice as Lord Deputy of Calais in 1533, even if he did lack the desirable strength of character, administrative ability, and financial resources of his own. The first two made him a rather feeble commander of so vital a military outpost, while his relative poverty forced him into corruption. If we can believe the local chronicler, he set a bad example by selling all offices under his command, and secretly pocketing the salaries of men who died. His open-handed hospitality to important travelers to the castle town, like the French ambassador or Anne of Cleves, was highly appreciated at home, but only plunged him further into financial troubles. As a result, he was hopelessly in debt to the King for taxes and rents which were decades in arrears, and he never paid a tradesman for goods or services supplied unless he absolutely had to.

He lacked self-assurance, and tended to panic when he got a sharp letter from Cromwell or the King. He had constantly to be reassured by his plain-spoken agent, Thomas Husee, who feared he had "some motions of melancholy." When Cromwell told him brutally that the King and Council thought "your practices and doings very ill, and not well nor circumspectly considered," he had to turn to Husee to draft a reply for him. The latter kept urging him not to take setbacks "so heavily and after a desperate sort," and lamented that he "in any adversity, extremity or need, should now fall into this sudden agony." "Howbeit I know your nature is such that you cannot forbear it." This tendency to panic was compounded by a natural diffidence in lobbying for his own interests, and a foolish tendency to "trust promises and fair words." His wife and Husee ordered him to "be earnest in his own affairs" and hoped "he will be plain with the King," but on the few occasions he had a royal audience he always fumbled the ball. He made his pitch, but was too easily put off by a purely verbal promise, and was later astonished to find that it did not result in action. Sometimes Husee was so exasperated by his employer's timidity and incompetence that he could barely contain himself. When Lisle failed to press his suit for money in a crucial audience with the King, Husee burst out, "Your Lordship is in the blame of all this matter, for had you been in earnest with the King, . . . you might as well have had a thousand marks as a hundred pounds." All in all he well deserved his reputation as "my gentle Lord Lisle" and Cromwell's testimonial that "I have ever thought you to be of a good and gentle nature." Even Henry VIII admitted that he "had the gentlest heart living." This amiable old gentleman was no match for predatory sharks like Cromwell and the bright young men on the make around him in London. He relied entirely upon the promptings of his faithful agent Husee and the support and advice of his tough-minded wife Honor, to whom he was absolutely devoted. He described her as one "for whom I do as much long for as doth the child for his nurse, and that God knoweth," an analogy which accurately sums up the marital relationship (the nurse in the sixteenth century being normally closer to the child than the mother—witness Juliet).

WHEN LISLE married her as his second wife in 1529, Honor Basset was already a widow aged about forty with seven children by a first marriage.

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For Honor, marriage to so exalted a nobleman so close to the King was clearly a big step up, even if he was some fifteen years older than herself. For Lisle it was socially a step down, but she had useful political connections with the rising Boleyn family, and in view of her age it was unlikely to result in children. Since he had no son of his own, the Plantagenets would die out in the male line, which was perhaps just as well. Although this was probably a marriage of convenience on both sides, by 1538 the couple were clearly deeply devoted to each other. He relied upon her for advice, love, and encouragement, and for all her difficult character she seems to have been equally devoted to him. When he was away in London on a visit, she wrote to him, "I think there is no woman living have thought the time of her husband's absence longer than I have done yours"; or again, "I shall think every hour ten till I be with you again." He addressed her as "mine own sweetheart," and signed himself "your own loving husband forever." She addressed him as "good sweetheart" and signed herself "your loving and true wife." This verbal display of mutual tenderness appears to represent genuine emotion, and the Lisles provide a welcome exception to the rule of at best distant and businesslike marital relationships, especially in this class. These affectionate letters between an elderly married couple are some of the very first to have survived in Western Europe. That the feelings expressed were genuine on his side are certainly beyond dispute. She too appears to have been sincere enough, and the only hint of other emotions at work within her is the way she manipulated him for her own ends, and also the ugly rumors flying about Calais that she was in love with one of his chaplains.

This affection is all the more remarkable since the Lisles themselves in their treatment of their children, and all their correspondents, viewed marriage as a business transaction. As a relative remarked of one of Lisle's own daughters, without a good dowry "ye may be sure there is but few would harken unto her." A patron asked Lisle for a job for a client in the Calais garrison, arguing that "it should be a great help and his advancement for his preferment to a good marriage." When the surveyor of Calais made an imprudent marriage, Cromwell remarked that if he had known he was contemplating matrimony, "he would have gotten him a wife . . . worth a thousand pounds." Katherine Basset, left by her father with a dowry of only £66, asked Lisle to make it up to £200 or more, for with that "she shall have an heir which shall spend a thousand marks." Thus everyone, including the children themselves, thought of marriage in terms of money.

THERE CAN BE no doubt that Lisle's new wife Honor was a woman of strong passions, hasty temper, and iron will. She was a shrewd, scheming, and meddling termagant. So "very sharp and hasty" was she that she had trouble recruiting gentlewomen attendants to wait upon her, and there are many proofs in her correspondence of her quick and fiery temper. Her life rotated around three or four prime concerns. The first was to promote the careers of her seven Basset children by her first husband, all of whom she provided with a typically medieval education. These letters provide vivid detail about the upbringing of elite children in the early sixteenth century, such as can be obtained from nowhere else. It is thus a pity that none of the children were subjected to even a trace of that new scholarly neoclassical education that was beginning to make itself felt in England under the inspiration of Erasmus and the patronage of More. But the Bassets and Lisles were not among that minority of families learned in the new humanist style. Honor could read English, but not French or Latin, and she could write nothing beyond her own name. Lisle could write, but nearly always found it easier to dictate his letters. Indeed the vast bulk of the correspondence is dictated to scribes and secretaries. This has the advantage of giving so much of it the vivid immediacy of the spoken word, because that is exactly what it is. Here in these letters we meet the brisk, inventive, playful language of Shakespeare already fully formed.

Honor's eldest son John was a dull, shy fellow, but that did not stop her intriguing actively to push him into Thomas Cromwell's service. The younger son, James, was a bright, self-willed, calculating boy. She intended him for the Church, but he preferred a secular career, eventually winding up under the patronage of the Catholic Bishop

HERE, BUT UNABLE TO ANSWER
In Memory, Herbert Hugo

A small dawn, sailor. First light glints
off water and it rays across your face
some ill-defined religion. I see you
always on the bridge alone, vigorous
and handsome. Eight bells. You bellow orders.
Your voice rolls back the wind.
Your eyes light numbers on the compass green.

Had I found you lost, I swear
I would have torn the clouds apart right
beneath the north star long enough
for you to fix position, and we'd have gone
sailing, sailing down our boyhood rivers
out to open sea, you proud of my power
over uncooperative sky. What a team
and never to be. You gone to China. I alone
with two old people and in nightmare earth
becoming drier. No new crop. No growth.

Even in war we lived a war apart.
You who desperately wanted combat
stuck piloting new ships from Pittsburgh
to the gulf. Me and my unwanted self
praying the final bomb run out, praying me alone
home safe, then all the others I forgot.
Forgive the bad nerves I brought home,
these hands still trembling with sky, that deafening
dream exploding me awake. Books will call
that war the last one worth the toll.

Father, now you're buried much too close for me
to a busy highway, I still see you up there
on the bridge, night sky wide open and you naming
wisely every star again, your voice enormous
with the power of moon, of tide. I seldom
sail off course. I swim a silent green.
When I dream, the compass lights stay on.

RICHARD HUGO

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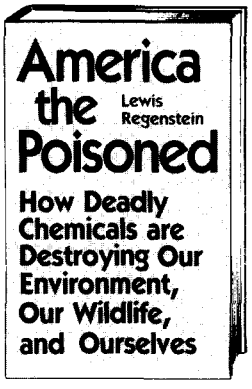
Gardiner, and husband to the pious and learned Catholic granddaughter of Sir Thomas More. Not a very likable young man, he had the saving grace of a genuine and passionate devotion to the Catholic faith—devotion which later gained him admission to Queen Mary's Privy Chamber. During the 1530s, between the ages of ten and seventeen, he was already successfully manipulating the grownups to suit himself, and obtaining precisely the education he wanted, whether in Paris or in London. All the daughters were educated in the traditional way to catch a husband, and were barely literate. Some were placed in the safekeeping of abbots and abbesses and priors in England—which was cheap but turned out to be a mistake when the monasteries were dissolved. Others were sent to learn French and social graces in French aristocratic households, and two, along with their Plantagenet stepsister, were kept under their mother's eye in Calais. Two of them were then pushed into the court at London to compete for jobs as maids of honour to Henry's rapid succession of queens. Henry chose the pretty one, Anne, but repeatedly rejected the plain one, much to her mother's disappointment. Honor seems never to have concerned herself with the possible risk to Anne's virtue, if Henry's lustful eye should fall upon her. Indeed, despite her high ambitions for her brood, there are few signs of love between mother and children, except with her favorite, Mary. It was in general a relationship manipulative on the one side and deferential on the other. It is hardly surprising, therefore, that Honor did not hesitate to plan purely mercenary marriages for her children without even bothering to consult them. She succeeded in marrying her Basset son and heir to her eldest Plantagenet stepdaughter—a social coup that raised some eyebrows. But it was a policy which, as we shall see, could lead to disaster, when a love affair induced her favorite daughter to kick over the traces.

HONOR'S AMBITIONS were not confined to the promotion of the careers of her children. Despite her age, she had high hopes of becoming the mother of a boy by Lisle, and thus of giving birth to the last of the Plantagenets. So fixed was her ambition and so strong her will to succeed that for nine months she convinced herself and the world that she was pregnant. Her belly duly swelled (by swallowing air) and she boasted about her condition to everyone, including the King. She pestered all her noble friends to lend her a bed and hangings suitable for the occasion, and even the royal wardrobe was pressed for a loan to help decorate her bedroom suitably for the delivery of a semiroyal child. She hired herself a midwife, laid herself down upon the state bed in the opulently fitted room—and nothing happened. Letters fall discreetly silent over what must have been a traumatically disappointing experience for the Lisles. Husee heard with dismay that "your Ladyship weepeth and sorroweth without comparison," and urged her to cheer up.

AS FOR HONOR'S relations with her noble and elderly husband, they were at once close and bossy. Everyone knew that she was as tough and grasping as he was weak and easygoing, and those who wanted to get anything out of Lisle took care to work through her. This soon got back to London, and she received a stinging rebuke that reports were circulating that "ye do intermeddle much in my lord's business concerning the King's causes." Men openly remarked that they could twist Lisle round their little finger "so that my lady were not in the way." Cromwell, who was no sympathizer with feminist aspirations, flatly told Lisle that "although my lady be right honorable and wise, yet in such causes as belongeth to your authority her advice and discretion can little prevail." Later he angrily told Lisle that "it is thought against all reason that the prayers of women and their fond flickerings should move any of you."

Apart from promoting her Basset children, defending their estate, trying to produce a Plantagenet boy, and dabbling actively in the political affairs of her husband the Lord Deputy, Honor's main preoccupation was a passionate and deeply felt defense of the Roman Catholic religion. It was widely known that "Your Ladyship was given to be a little papish," and that she was an active protector of papists and supporter of the persecution of Protestants in the deeply divided Council of Calais. Her devotion was intense and sincere, but it was rash to exhibit such qualities at a time when the official theological and liturgical lines were changing year by year at the whim of the King, and the penalties for disobedience were brutally severe. Pru-

On the 20th Anniversary of Silent Spring there is nothing to celebrate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dence dictated silence, but prudence was not one of Honor's strong points.

According to the Calais chronicler, Honor was wildly extravagant in her taste for rich clothes, food, and drink, which helped to aggravate her husband's increasingly precarious financial condition. There is indeed hard evidence for her extravagance in clothes, for the inventory taken of her goods in 1540 included items like a pair of crimson satin sleeves with 800 pearls, and a black velvet pair with 573 pearls and 84 "paired stones" of gold.

THE THIRD KEY figure, and clearly the hero of the story, is Thomas Husee, the loyal, devoted, shrewd, cheerful, and indefatigable London agent and lobbyist of the Lisles. His job was to keep the lines of communication open between the King, Cromwell, and the leading courtiers in England, and his master and mistress across the English Channel. Without him, it is plain that the Lisle family would have come to grief long before it did. Again and again it was only heroic exertions by Husee that kept them out of trouble. Was Lord Daubigny scheming to pull off a piece of legal duplicity that would deprive the Bassets of much of their estate? It was Husee who came to the rescue by planting a spy in Daubigny's household to report his every move, who tirelessly lobbied Cromwell, the Lord Chancellor, and the judges, and who finally sketched out the deal by which Cromwell intervened with Henry to save the situation, in return for a slice of the pie. Did the Lord Admiral need buttering up? It was Husee who had to keep a live porpoise for weeks in a netted enclosure in the Thames at Wapping, feeding it daily at his own considerable expense until he could make the gift. (Unfortunately, the porpoise was not appreciated by the Lord Admiral and so Husee's pains and money were wasted.) Did Lisle want a grant to one of the dissolved monasteries to save his tottering finances? It was Husee who sought out a suitable one, and spent hours, days, and months, even years, in dogged pursuit of it, haunting the antechambers of the powerful until they caved in. Did officials need to be bribed to get things done? It was Husee who recognized the need, assessed the amount, and arranged the payoff. Was Cromwell's intervention in some suit essential? It was Husee who waylaid the great man as he walked briskly from his house to the court, trotting along beside him and bending his ear.

It was Husee who personally carried to Henry VIII Lisle's New Year's gift on the first of January every year, and duly reported every word of gratitude that passed the King's lips. Husee presents us with an unforgettable picture of the King, watchful and piggy-eyed as usual, leaning against a cupboard and chatting and joking with Cromwell as nobles and courtiers came forward with their ritual presents, and a clerk wrote them all down in a book behind him. Once when Husee gave a handful of golden coins, Henry simply grabbed them and stuffed them in his pocket. It was Husee also who had to chase to and fro across London to track down items on Honor Lisle's detailed and specialized shopping lists, who paid the tradesmen's bills when he had to, and let the others run up as long as he could without irreparably damaging the honor of his master and mistress. His judgment of men and things seems to have been impeccable, and his capacity for work limitless.

HUSEE WAS properly discreet about his religious opinions, but now and then his feelings show through. Like most others, he did not much mind about the dissolution of the monasteries, and was as eager as the next man to help his master to some of the plunder. But he was truly shocked at the wanton destruction of the sacred images and relics of the saints, and the looting of the precious metals and jewels of the shrines. When Cromwell's agent Pollard was busy dismantling and packing up the shrine of St. Thomas à Becket at Canterbury, Husee could not restrain his sarcasms. Mr. Pollard, he reported to Honor, "hath been so busied, night and day, in prayer with offering unto St. Thomas' shrine and head" that he had no time to deal with her affairs. He will try again when Pollard's "spiritual devotion is past."

One of the more disagreeable aspects of the story is how few thanks Husee received from either Lisle or Honor, both of whom mostly complained fretfully that he had not performed the impossible. After one such nagging letter, Husee told Lisle "your Lordship hath almost made me weary of my life." He was paid a mere pittance, which was often in arrears. It was typical of the age that the money came not out of Lisle's own pocket, but by having arranged for him to be put on the payroll as one of the garrison at Calais—in flat defiance of all the rules of residence, since he was hardly ever there.

At the far end of the line of communications which ran from Calais to London there were the two towering figures of Henry VIII and Thomas Cromwell. The latter was the King's chief minister: the supreme bureaucrat who threw up a welter of new agencies—all run by his stable of ambitious young men—to digest the largest transfer of power from the provinces to the center ever to take place in England. What sort of a man do these letters reveal him to be? He emerges as intelligent, patient, and resourceful, but also cynical, cunning, and corrupt. He was above all supremely self-confident and ambitious, and jealous of all competition. To stay in power he was prepared to put up with anything and to sacrifice anyone. He had climbed to the top by trampling men and women underfoot on his way up, and he intended to stay there. If the King chose to abuse him and clout him about the head in anger, as he did, so be it: he would suffer in silence. This was the man with whom Husee had to deal, and we can see him more clearly through these letters than we have ever seen him before. It is some comfort to discover that this cold and calculating careerist had his weaker side. Women did not interest him, but good French cheese and quails, and above all good French wine, certainly did. It is also surprising to find that he regularly took a summer holiday of six weeks or so.

OVER ALL loomed the huge, brooding, suspicious, erratic personality of the King, already prematurely aging and running to fat, and with a sore upon his leg which would not heal. He has aptly been described by Professor J. H. Hexter as "splendid, magnificent, spendthrift, lustful, idle, envious, treacherous, rapacious, jealous, and stupidly and stupefyingly vain-glorious." Apart from himself, his attention seems to have been focused upon only three things. One was military affairs, especially the technology of gunnery, armor, and fortifications, in all the details of which he took a close personal interest. Thus it was he who personally chose the suit of armor for Lisle, he who decided which guns should be set up on which towers in the fortifications of Calais, and he who wanted immediately

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to view in person a newly invented double cannon.

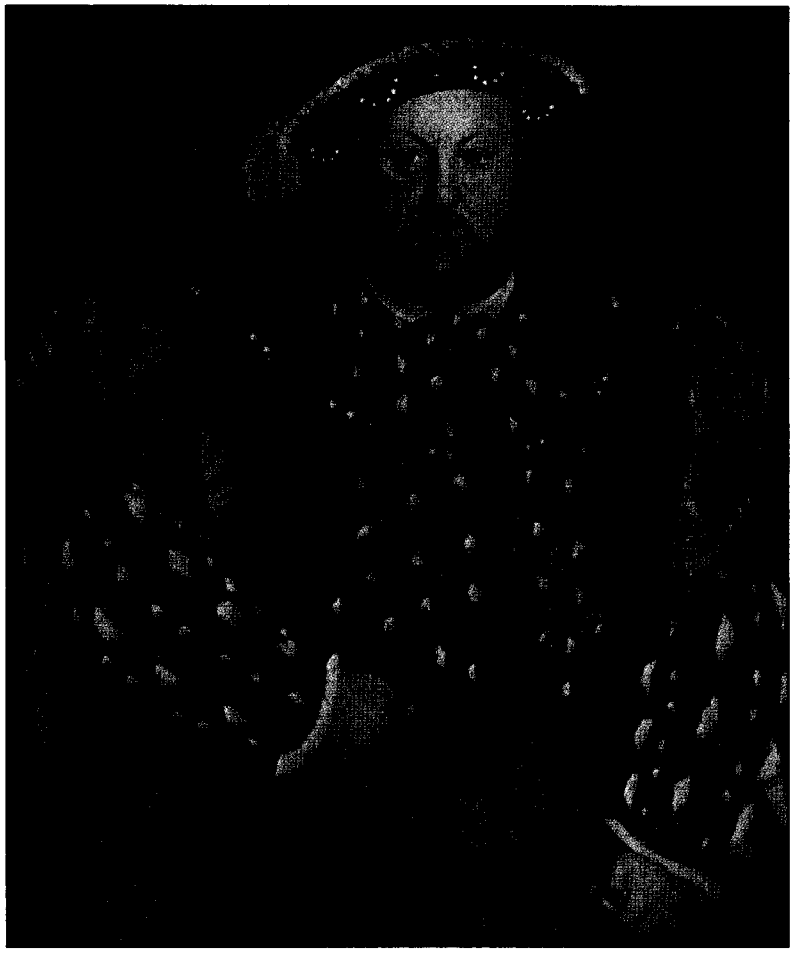
His second concern was theology, upon his skill in which he took great pride. Did he not after all bear the proud title of *Fidei Defensor*, conferred upon him by the Pope? He personally supervised the drawing up of the various official theological positions, as he twisted and turned in his opinions throughout the 1530s. Although he broke from Rome, he never wavered in his position about the mass, and he personally engaged in formal public disputation about the Real Presence with a heretic Protestant—whom he duly burned alive after defeating him in argument to his own satisfaction.

His third passion was for women, whom he pursued with a relentless and indiscriminate lust which seemed insatiable. Despite his sexual adventurism, Anne Boleyn as early as 1535 complained to a friend that Henry was often unable to satisfy a woman, and it may well have been this growing impotence which drove Catherine Howard to adultery some six or seven years later. In his quest for female flesh he was utterly shameless, and he deeply shocked the French ambassador in 1538 by suggesting to him that there be sent from Paris to Calais a sample of royal or noble French young ladies for his personal inspection as a potential wife. The Ambassador retorted sarcastically: *"Ne voudriez vous point, Sire, encore monter sur toutes, une après l'autre, et après retenir pour vôtre personne celle qui irait la plus douce?"*

Of his ruthless treachery and cruelty, there can be no doubt. He had begun his reign by sacrificing the two leading ministers of his father, later added More and Cromwell, and would have killed his last minister, Norfolk, if he had lived a few days longer. He liked to play cat and mouse with his victims, leaving them for days or months in the Tower of London awaiting execution and then suddenly ordering their death; or he would bring them on to the scaffold, delay the execution for a few hours, then let it proceed; or whimsically issue a pardon at the last moment.

The greatest hatred of his life was directed toward Cardinal Reginald Pole, once his bosom companion, who had fled abroad because of his refusal to accept Henry's assumption of Supreme Headship of the Church. From there, he wrote a blistering letter, accusing Henry of being a brutal and treacherous tyrant. Anyone who had the remotest contact with Pole or his servants was immediately suspect and usually killed—a fact that in the end was to affect the fate of Lisle himself. Such was the man, "as vicious and dangerous as a rogue elephant," as Miss St. Clare Byrne describes him, who presided over English affairs, and the lives of the Lisles, during these seven years.

If the Lisles, Husee, Cromwell, and Henry are the main actors, their relationships with one another and with hundreds of other actors in the play cannot be understood without reference to certain fundamental features of the society in which they lived. At the risk of drastically oversimplifying the changing social structure of Europe, one can propose that there have been three, and only three, ideal types which have roughly followed one upon another in chronological order. The first was the feudal society, in which each man possessed an ascribed status based upon his tenurial relationship to the land. Each man owed fealty for his land to someone above him, and was in turn owed fealty by those below him. This was replaced in the early modern period by a new social order based on personal ties of patronage—known to English historians as bastard feudalism in the fifteenth century, clientage in the sixteenth and seventeenth centuries, and connection in the eighteenth century. In the nineteenth century, modernization brought about another shift to the principle of meritocracy, whereby each man stands upon his own feet, and rises or falls by reason of his education, talents, and exertions. Obviously no such societies have ever existed in a pure form, and most have contained elements of all three. Concepts of merit and efficiency played some part in power relations in the early modern period, just as patronage unrelated to merit still does in large areas today.



'HENRY VIII' BY HANS HOLBEIN THE YOUNGER (1540)

What the Lisle letters reveal more clearly than any other source is the mechanism of patronage at its peak. "A man without a patron is like a hop without a pole," remarked Elizabeth's leading minister, Lord Burghley. In the world of the 1530s in which the Lisles moved, everyone was seeking a "good lord" of rising power and influence to whom to attach themselves, and as eagerly seeking to disassociate themselves from a "good lord" whose star was on the wane. The more obsequious corre-

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spondents of Lisle, like his auditor John Smith or the ill-starred merchant John Cheriton, did not hesitate to lay it on with a trowel. "Right honorable and my singular good lord," begins a letter from the latter, "pleaseth your good lordship to know that I have received your lordship's letter, wherein your good lordship has written your gracious pleasure unto me, more than ever that I am able for to make your good lordship any recompense." There followed his latest tale of woe—"I am undone forever"—and the conclusion, "wherefore, good my lord, to be so gracious lord unto me as to send me in all haste your gracious letter for to restrain again all my enemies." Others were less verbose in their promises: "I will be your servant, and the King's, God willing, during my life." In a similar vein, Lisle himself wrote to his superior, Thomas Cromwell, "beseeching you to continue my good lord," while he assured Husee that Cromwell "hath always been my good lord and friend." In many cases the concept of good lordship was linked to kinship and became a form of nepotism, at that time considered a moral duty for any man of honor. One lobbied Lord Lisle's help for a client of his "to whom I heartily beseech you to be good lord, and the better for his old mistress's sake, your kinswoman." Another recommended a man to Honor on the grounds that he "must needs be at my lord's commandment and your ladyship's, considering that he married your niece."

IT WAS THIS power of patronage, or "good lordship" as it was called, sometimes linked to the claims of kinship, which made the wheels of both government and society go round. All promotion, all reward, all aid, all safety, depended on the protection and lobbying of the patron, and the greater the patron the more the clients and the more powerful the influence. This is why Thomas Cromwell was daily mobbed by such throngs of suitors that he hardly dared set foot outside his door. "Your lordship will not believe the importunate suit that Mr. Cromwell daily hath, which continually increaseth," wrote Husee as early as 1534. If the great man fell sick and kept to his chamber, the suitors piled up in frustrated droves for weeks outside the door. But constant waiting was the essence of the matter. "One hour missing attention upon my Lord Privy Seal [Cromwell] may hinder a month's suit," remarked Husee with his usual acuity. Others were not so philosophical about the waste of time, and Lisle's other agent in London, Thomas Warley, complained bitterly of his sufferings:

> The search from auditor to auditor, from clerk to clerk of [the Court of] Augmentations, and daily attendance, passeth the Bishop of Rome's feigned purgatory, for it lighteth the purse, wearyeth the legs, distempereth the body.

The language is not only vivid, but displays an acute appreciation of the latest change in theological doctrine—purgatory was now nonoperative.

If "good lordship" was the key relationship in political and social life, the oil that lubricated the system was the exchange of gifts. Many primitive societies exchange gifts, but few on the scale of early sixteenth-century England. Gifts, of course, can come in many kinds. In the sixteenth century, they began with the mere "token," like the flowers or pot of homemade jam which we still exchange with friends to this day. These tokens often took the form of rings, frequently "cramp-rings" which had been blessed by the King and were believed to ward off the pains of rheumatism and arthritis. Honor was an avid collector of "cramp-rings" by the dozen.

One stage above these tokens of mere friendship were gifts on a somewhat more generous scale, made with the expectation of the grant of a favor or an equivalent gift in return. Others, more expensive still, were douceurs, that is, bribes more or less transparently disguised as gifts. And finally there were outright bribes, although it was not considered altogether gentlemanly in the best of circles to ask or receive such things. When the avaricious Thomas Pope (the future pious founder of Trinity College, Oxford) made it clear that he had "rather have ready money than wine, yea and doth look for the same," he was regarded by Husee as a cad.

NATURALLY enough, the token, the gift, the douceur, and the bribe in practice all tended to run smoothly into one another, and it is often difficult to tell them apart. For those who had everything, like the King or the Queen, the trick was to find some "novelty" to whet their jaded appetites. There was a great to-do in 1534, when Anne Boleyn heard about Honor's favorite puppy dog Purquoy, and let it be known she wanted it. Husee wrote firmly: "Madam, there is no remedy, your ladyship must needs depart with your little Purquoy, the which I know well shall grieve your ladyship not a little." Honor procrastinated, but finally had to give it up. Rare food was a favorite gift—dotterells, quails, early peasecods, cherries and grapes, sturgeons, and boars' heads for the royal table. Anne Boleyn had a particular liking for fat quails during her pregnancy, and Lisle hastened to oblige.

WHAT IS SO remarkable is that even the simplest request or exchange of politeness had to be accompanied by a physical gift. How they poured to and fro across the Channel by their hundreds! To the Lisles from England came stags and does and pies of venison from English noblemen, Cornish conger eels from a west country parson, "a dish of puffins against Lent," twenty gulls, eleven egrets, a hundred quinces, a barrel of honey, two cheeses, and endless cramp-rings. Richer presents, usually in expectation of or return for a favor, tended to be the animals of the chase, like horses, greyhounds, and hawks. From the Lisles an even larger number of gifts flooded back across the Channel to their superiors or equals. The two great weapons to get things done were wine and quails. They seem to have had a monopoly of the best French burgundy for England, and of the fattest quails. At times when they were lobbying hard for something from the court, whether a favor over a job or lawsuit, or the grant of a monastery or an annuity, the Channel was thick with ships carrying the precious cargo. Men of influence were literally bombarded with tons of fine French wine and hundreds of plump quails, often more than the recipients knew what to do with. Sometimes things went terribly wrong, as when Lisle tried to curry favor with the Earl of Hertford by sending him a singing linnet in a cage, but the ship was wrecked at sea. Husee reported to Honor the end of the story: "Madam, to write the misfortunes of this poor man Sparke had, it were too much!" For when he had with difficulty saved the bird from the shipwreck and brought it home to Billingsgate, it was eaten by his cat, "which my Lord of Hertford took right grievously." Honor had to send along instead "mine own bird, the best in all this town," of which

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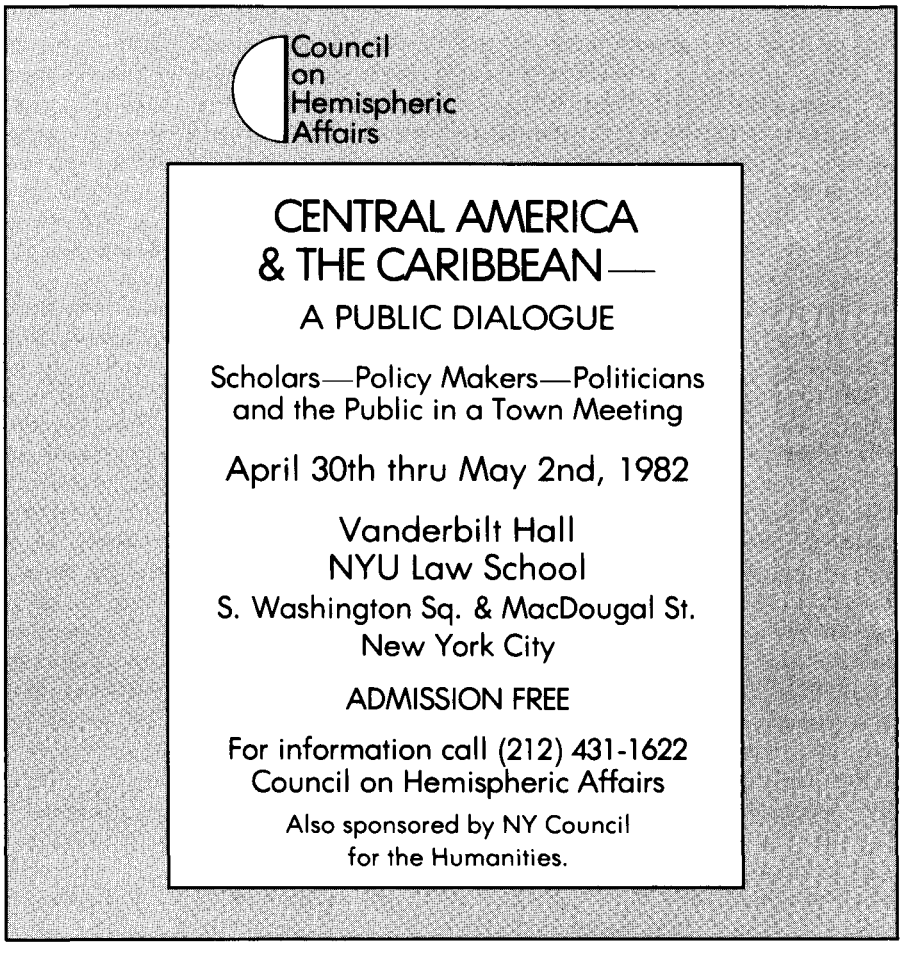
the Earl was "not a little proud."

Some gifts were very odd, since they conformed to the concept of "novelty," that passionate urge of men of the Renaissance to see and handle something new and strange. Contemporaries were extraordinarily attached to pets—witness Anne Boleyn's fixation on Honor's pet dog Purquoy. She also enjoyed a linnet in a cage, but hated monkeys. Lisle's daughter Mary sent her father a parakeet "because he maketh much of a bird." Exotica were always in demand. The French Lord Admiral, as he passed through Calais, gave the Lisles as a thank-you present two marmosets and a monkey from Brazil, along with instructions about their care and feeding. Bishop Bonner sent Lisle as a "novelty" a couple of prints of the human anatomy. "The anatomy of the man is judged here to be done exquisitely," he commented, but "the anatomy of the woman pleaseth me not so much," though as a clerical bachelor he admitted ignorance on the subject.

WHAT WAS THE meaning of this incessant transfer of gifts, ranging from the insignificant token to the expensive present? Many had merely symbolic significance, physical tokens of friendship or loyalty. But this was important to contemporaries, and Lisle's stepdaughter Mary was genuinely upset that her father "hath not sent me anything," not even a token. Many other gifts were not expensive, but were hard to get in the days before the advent of sophisticated consumer market arrangements. Living as they did on the French coast at Calais, the Lisles were very well placed to provide "novelties" which were designed to be of real use and pleasure to the recipients, and thus to reinforce their reciprocal sense of obligation and goodwill. Gifts were the sixteenth-century means to achieve what President Nixon, in his ineffable way, used to call "stroking." What is interesting about this flood of gifts is that the custom seems to have been so strictly time bound. It is far less prominent in the Paston letters of the fifteenth century and far less prominent in the Salisbury letters of the early seventeenth century or the Walpole correspondence of the early eighteenth century. The incessant habit of gift exchange displayed in the Lisle letters is an anthropological curiosity at its apogee, at a time when patronage itself had also reached its apogee. The two went together.

When it comes to douceurs or bribes, we move into a more familiar world, even if today we would hardly think of bombarding the influential politicians from whom we want a favor with tons of wine or hundreds of quails. Although the type of douceur or bribe has changed, the principle and the practice remain the same: the sixteenth century, like ours, was an age of corrupt politicians. One feature, however, marks the century as drastically different from our own. All early modern states were run by an unreformed "patrimonial bureaucracy"—to use Max Weber's terminology—in which officials were appointed and promoted by patronage and/or corruption rather than merit; in which offices were bought and sold by the incumbents to their successors, with the corrupt consent of their superiors; in which, since salaries were relatively insignificant, officials made a living by taking fees or tips from clients to perform the services the state employed them to carry out; and in which absenteeism and sinecure offices performed by deputies were an accepted norm. In his capacity as Lord Deputy of Calais, Lisle was inevitably deeply enmeshed in such a system, and much of his correspondence is concerned with the struggle for appointments, the purchase and sale of jobs, the use of patronage in securing jobs—all competing with the rival need of the state for a high level of military readiness in a key fortress perched precariously on the coast of France.

There can be no doubt that here and there the efficiency principle had taken fragile root in the interstices of the system, although in the main it was overridden by the pressure to conduct business as usual, that is by patronage or purchase. For example, Cromwell got Parliament to pass a law to improve internal navigation by destroying fish weirs on all navigable rivers in England. Honor owned one, and fought desperately but unavailingly to keep it. She tried lobbying the King, but he sent all such petitions on to Cromwell, who rejected them outright. She tried going through Anne Boleyn, but fared no better. The plain fact was that "Mr. Secretary is very earnest in the same, and will show no favour." In this case, Cromwell successfully defended the public inter-



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est of free river transportation against all private interests, including his own and the King's. More typical was the prolonged struggle to reflood a marsh outside the walls of Calais, which in a thoughtless moment Henry had granted to a former Deputy at Calais, Sir Robert Wingfield. The drainage of the marsh by Wingfield greatly increased his profits, but dangerously impaired the defenses of the town and castle, and Henry told Sir Robert to "put it down." But years went by and absolutely nothing happened. It took a full year after Lisle and the Calais Council had urgently asked for firm instructions on reflooding the marsh for Cromwell to write the necessary clear ten-line letter. Even then, Wingfield did not give up, and kept lobbying for fair compensation for his financial losses for another two years. For at least a year Lisle and the Council of Calais could think of little else but this petty struggle between the warring principles of private interest and the public good.

A CRITICAL CASE that bulks large in the Lisle letters, in which the public interest in national security fought—largely unsuccessfully—against the private interest in the purchase and sale of offices, is that of appointments to the military garrison of Calais, nominally at the disposal of Lisle as Lord Deputy. In practice his freedom was constantly restricted by interference from Henry, Cromwell, and other influential patrons. Intermittently, Henry worried about the situation. He ordered two commissions to investigate conditions at Calais, and also passed an act of Parliament, but none of them did much good.

One key question was whether an incumbent member of the garrison should be allowed to sell his office to whomever offered him the most money, regardless of competence. Thus Lisle was offered twenty marks to get a man's nephew the job of "an archer on horseback"—no hint being given as to whether he could shoot a bow or ride a horse. In 1533 Sir John Russell declared flatly that "this thing I am and have always been against . . . ; for such shall buy it for money that shall not be able to serve the King when they have it." But a few weeks later a man was offering Lisle twenty marks and Honor a skirt for permission for a friend to buy "a room of a spear of Calais." The Lisles were clearly up to their necks in all this buying and selling. Cromwell protested that they "put all things to sale" in order to finance their "excess of living," despite Honor's implausible claim that she "would not for a hundred pounds take one penny, nor never did of no man." Henry also took a strong line from time to time, but never followed it up. One minute he insisted that "there should be no rooms bought nor sold hereafter this in Calais"; the next he said that "if rooms may be sold, he will have the advantage himself." He forced through the act of Parliament forbidding all sales, and then actively connived at the continuation of the practice. There were "new letters daily for rooms, all clean contrary to the Act." In one striking case he allowed Sir Richard Grenville to buy the important office of Marshal at Calais from the incumbent for £400 "with the King's good will and favor." In gratitude for his help with Henry, Grenville sent Cromwell the large douceur of 18,000 Cornish slates to roof his new buildings.

Even worse was the problem of grants of reversions of offices at Calais. It was the habit of Henry to issue warrants for reversions as favors to patrons in such numbers that candidates were stacked up in droves, waiting for a vacancy and jockeying for priority in the line. As Henry signed letter after letter in favor of aspirants to reversions of offices still held by others, Husee remarked acidly, "your Lordship may see what stableness in promises and writings." As a result of the activities of the King, Cromwell, and the courtiers, in 1540 most of the garrison in Calais was revealed to be either incapable of bearing arms or absentee, or both. Lisle, who had to decide among these competing claims to offices nominally at his disposal, was obliged to spend much of his time adjudicating bitter disputes. But this was not the least of the problems created by the malfunctioning of the administrative system. Henry and Cromwell compounded Lisle's difficulties by permitting the salaries of the garrison to go unpaid for months, and by denying Lisle the money to repair the crumbling fortifications, or even licenses to import food to build up a stockpile to withstand a siege. So sluggish and obstructive was the bureaucracy that even Cromwell's direct intervention could not get the garrison paid on time, with the result that some of them had no money for their own dinners. It would be hard to devise a system better calculated to undermine morale and weaken the defenses of the most important military outpost in the kingdom.

THIS DISORDER at Calais was merely symptomatic of the general administrative situation. For one thing, the whole system was corroded by the ubiquity of the douceur and the bribe. Nothing could be done without large gifts, usually in kind, but sometimes in hard cash. Take, for example, the payoffs made by Bruton Abbey in 1532 in order to obtain, with the support of the Lisles, a grant of two fairs a year in the town. A servant of Sir Richard Weston got ten shillings for lobbying his master; Mr. Sulyard got £10 for mentioning the matter twice to the King; Cromwell got £5 for reading the bill to the King; and Sir Richard Weston got £20 for obtaining the King's signature to the bill. All of them "look for thanks of your Ladyship," for they did it as a result of patronage pressure from Honor as well as bribes.

Writing or speaking to one another, high officials made no bones about their financial interests. Cromwell wrote that Henry agreed to a nomination of an abbot by the Lord Chief Justice and backed by Lisle, "so that his Highness may have me remembered somewhat." Here the King was personally insisting that his minister be paid off. Indeed almost everything, including judicial favor, was up for sale. When Honor was fighting Lord Daubigny in the courts to protect her Basset lands, Husee advised her to send a letter to the Lord Chief Justice, along with a firkin of sturgeon. When, in an unprecedented coup, the Lisles got the case forcibly transferred from the Common Law Courts to the personal arbitration of the King, Husee advised lavish rewards to everyone involved, including the Lord Chancellor.

The atmosphere of corruption was all-pervasive, the more so the closer one approached the higher levels of officialdom. "Friendship taketh small place, where money fails," lamented Husee. "Here nothing is done without it." He learned the hard way the prevalence at court of "a fair face and a false dissimulating heart."

The irresponsible corruption of Lord Sandys, bosom friend of the King, Lord Chamberlain of the household, and absentee captain of the castle of Guines, close by Calais, is scarcely credible. He was accused, with some plausibility, of drawing £1,000 a year to pay a garrison

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of a hundred soldiers at six pence and eight pence a day. Instead, he paid a mere six pence a day to fifty at a cost of £300, and pocketed the remaining £700 for himself. It is hardly surprising that Calais fell so easily to the French less than twenty years later.

If Sandys was on the take, so was everybody else, including that paragon of efficiency, Thomas Cromwell himself, who took bribes like everyone else but on a much larger scale. The story of how he squeezed a piece of property out of the Lisles in return for obtaining the official grant of an annuity and a friary, already promised to Lisle verbally by the King, is a long and illuminating affair in itself. The most amazing evidence of the scale of Cromwell's corruption, however, comes from the account book of his receiver. Cromwell was arrested, totally unexpectedly, at three in the afternoon on June 10, 1540. Royal agents rushed to his house to remove all the cash, jewels, and valuables before nightfall. The last items in the receiver's notebook records what they found "under a cushion in the middle window in the gallery" where Cromwell was accustomed to receive his clients. Tucked away there they discovered two white purses containing, respectively, £100 and £120 in gold, another with £50 in gold, and £20 in gold inside a glove—surely the original golden handshake, as Miss St. Clare Byrne observes. What were all these huge sums doing under a cushion? They must have been the bribes that Cromwell had accepted during the day before his arrest, which he had not had time to hand over to his accountant.

We would make a great mistake, however, to apply our own standards to the sixteenth century, and to recoil in horror and virtuous disgust. Even today most governments in the world operate in much the same way, which is why it is so shortsighted to expect American businesses to prosper in third world countries without passing on the accustomed douceurs or bribes. Corruption, Lord Keynes once remarked, is the only practical alternative for a state too weak to assess and raise taxes on wealth and income.

WHAT DOES ALL THIS tell us about the so-called Tudor Revolution in Government? What is revealed in the Lisle letters is an administration struggling to manage its affairs in the face of ingrained habits and popular customs, deeply entrenched sale and patronage practices of a patrimonial bureaucracy, widely diffused corruption reaching right up to the King himself, a social order based on personal clientage to a "good lord," a general atmosphere of every man for himself, and an almost total lack of zeal for the broader interest of the nation at large. Henry and Cromwell and Parliament could huff and puff, but as often as not nothing would ever happen. It was considered morally legitimate to lobby and bribe everyone for everything, even the Lord Chief Justice for favor in the suit "to be good to you and your son," as Honor was advised. The gap between legal enactment and actual practice was vast. Henry and Cromwell could pass an act of Parliament forbidding the Welsh to speak their native tongue, in order to break their cultural autonomy. But today Welsh is still spoken in homes and pubs, broadcast on television, and even displayed on signposts to the utter confusion of English tourists. They could pass an act of Parliament to prohibit diversity of opinion in religion—only to start a century of the most vigorous, widespread, and passionate debate on religious matters in English history. In financial matters the confusion was rapidly getting worse, with no central control whatever over the growing multiplicity of agencies that both received and disbursed income. Thus the problem for Lisle, when he finally got his £200 annuity, was to discover the most financially secure agency upon which to have it drawn:

> They say that the Treasurer of the Chamber is often without money, and the Jewel House; Augmentations and First Fruits is as ill, and the Exchequer worse; and to be paid at Calais by the Treasurer or the Receiver is worst of all, unless your Lordship would first compound with them [i.e. bribe them].

Looked at from the worm's eye view of Lisle, the man on the spot, the Tudor Revolution in Government, allegedly engineered by Thomas Cromwell, is nothing more than a mirage. Cromwell did indeed vastly expand the scope of the authority of the state, but bureaucratic efficiency was only very intermittently attempted, and the main result was a transfer of clientage from a diffused mass of little local patrons to the King, his leading ministers at the court, and the great aristocratic families in the countryside now tied in to court politics. This was indeed centralization, but no revolution in government. The Lisle letters effectively lay the myth to rest. Particularly after the monastic lands began to be granted and sold after 1542—a period which Lisle unfortunately did not live to see—it looks more like an Age of Plunder.

THE SECOND great question is whether this was a period of the reinforcement of the rule of law and the establishment of the sovereignty of the King in Parliament—that is, a constitutional monarchy. Or was it rather the most ferocious period of arbitrary and bloody tyranny in English history? The evidence in the Lisle letters points strongly to the latter. The law was normally subservient to the royal will, the last gasp of independence coming in 1534, when Lord Dacre of the North successfully defended himself against a charge of treason for collusion with the Scots, and was acquitted by his peers. The acquittal gave rise to "the greatest shout and cry of joy that the like no man living may remember that ever heard it." No other treason trial was ever so bungled again. Those whom the King accused were henceforth duly convicted and killed if that was his pleasure. When the Carthusian friars were to be tried a year later for denying the royal supremacy over the Church, Cromwell closeted himself with both judges and sergeants in advance to avoid any chance of a slip-up. Husee knew before the trial that "they were like to die this week."

It was from that moment that the blood began to flow, as Henry grew increasingly paranoid, increasingly obsessed with his own egomaniacal self-importance as ruler of the "Empire" of England and Supreme Head of the Church, and increasingly whimsical and arbitrary in his disposal of his opponents, real or imaginary. The French Ambassador regarded him as "the most dangerous and cruel man in the world," and there was truth in the charge. Because of the need for caution, the Lisle letters give only hints of the reign of terror. In 1534 Husee reported laconically that "two carts full of friars" were sent to the Tower one day, "and more coming after"; that the Earl of Kildare was in the Tower, and "methinketh he shall there rest his bones"; that "Sir Adrian Fortescue shall lose his head." In 1536 Mark Smeaton, a musician, was "grievously wracked" to force him to

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confess to the (wholly false) charge of adultery with Anne Boleyn, and to implicate four gentlemen of the court, including Anne's own brother, since Henry fancied that fratricidal incest would be a good way to discredit his now hated Queen. Unfortunately for Lisle, one of the innocent victims was Sir Henry Norris, the Keeper of the Privy Purse, who had been his best and most influential contact with the King. Lisle did not miss a beat, however, and promptly joined the vultures in lobbying for a grant of some of Norris's property even before the execution. He had got the message: it was every man for himself now.

When the major peasant revolt in the North, the Pilgrimage of Grace, broke out, Henry lulled the rebels into dispersing with promises of pardon and reform, and then when he had assembled his forces, crushed them with unparalleled ferocity. He ordered "such dreadful execution to be done upon a good number of the inhabitants of every town, village and hamlet" by hanging, drawing, and quartering them and scattering the pieces of the bodies in every locality "as they may be a fearful spectacle to all others hereafter." His commander, Norfolk, reported proudly that "I think the like number have not been heard of put to execution at one time." Husee told Lisle that Norfolk "hung them up and put them to death upon every bush." Many hundreds, perhaps thousands, of English peasants died to satisfy the royal vengeance. Two years before, Henry had told the French ambassador that he intended to exterminate the whole families of Montagu and Pole—Lisle's cousins who might have some possible claim to the throne—and that is exactly what he later proceeded to do, down to the last man, woman, and child. He was furious at missing Cardinal Reginald Pole, who had escaped to France, and so he planned to get him: "we would be very glad to have the said Pole by some means trussed up and conveyed to Calais," he wrote. This plot failing, he offered a reward for Pole's assassination, but hit men were less competent in the sixteenth century than they are today, and Pole escaped to the relative safety of Rome.

In 1535 Henry had three Carthusians put in the Tower for refusing to acknowledge his supremacy over the Church. They were fixed upright to posts with iron bands around their necks, legs, and arms, and left there to starve amid their own excrement. After seventeen days they were taken down, hanged, drawn and quartered. Two years later Henry did exactly the same to ten more obdurate Carthusians in Newgate Prison. Unfortunately More's heroic daughter bribed her way in, and for some time fed them and cleaned the filth off them, which merely prolonged their agony. After six weeks, eight of the ten were dead, still hanging from the posts by their iron collars. Nothing in English law authorized such death by slow torture.

Three years later, in 1540, the torture and execution of those who refused to acknowledge the royal supremacy of the Church was still occurring, to the terror of England's population. In April of that year a ghastly scene, probably witnessed by Honor, was enacted in Calais itself, when two recalcitrant priests were publicly executed.

> After they were hanged and cut down, they arose and stood on their feet, and helped the hangman to put off their clothes, and so living were laid on a board, fast bound, and then dismembered, their bowels burned afore them, and spake always till their hearts were pulled out of their bodies; which was a piteous death.

EXECUTION ON TOWER HILL (GRANGER COLLECTION)

When a ship put in to the shore of England and a sailor asked what news, he was told "ill news, for they kill and hang up men in this country."

The age of humanitarianism had not yet dawned in the West, but even by the standards of the day, the 1530s were regarded by all as a peculiarly brutal period. Miss St. Clare Byrne rightly has nothing but contempt for the generations of English historians who have somehow found excuses for Henry, Cromwell, and the rest of the gang around them. She concedes the point of Henry's seventeenth-century biographer that "I do not find him bloody but where the law, or at least pretexts drawn from the law, did countenance his actions." But we are sufficiently familiar with similar legal camouflage today not to be taken in. As Miss St. Clare Byrne says flatly, "Henry was a killer," and many of his victims, including Anne Boleyn, were deliberately framed.

As for the role of Parliament in all this, it was kept busy passing statute after statute extending and altering legislation concerning treason to embrace more and more crimes of opinion rather than of action, and evidenced by speech rather than writing or deeds. In 1539 Husee was again denied access to Cromwell, who was busy fixing the parliamentary election so that he could assure his master that "Your Majesty never had more tractable Parliament." Cromwell was in fact overoptimistic, but this is clearly what Henry understood by the sovereignty of "the King in Parliament."

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It remains to tell the story of the downfall of Lisle himself, that affable, spendthrift, neurotic old man who for twenty-five years had been the friend and companion of the King. His troubles arose from his inability to steer his way through the thickets of court intrigue over the mounting conflict between Catholicism and Protestantism. Lisle himself was a moderate conservative Catholic, but one who was willing to go along with whatever the King should determine (even though his wife Honor was a zealous Catholic supporter). Lisle did not hesitate to lobby actively for a piece of the loot of the monasteries, asking Cromwell, in an unforgettable phrase, for "some old abbey in mine old age." He did quite well, and picked up a priory in England and a friary in Calais. But Calais was at the crossroads of all the currents of religious controversy, surrounded by Catholic France but with Protestant men and ideas pouring in from Germany. Moreover, both Cromwell and the Archbishop of Canterbury, Cranmer, were active supporters of the advanced Protestant position, and during the 1530s they were more or less successfully pushing the reluctant King in their direction. Behind the King's back they were also jobbing Protestants into chaplaincies and clerical posts in Calais, and protecting them when they got into trouble. As Lord Deputy, Lisle was caught between Cromwell and Cranmer on the one hand, and the official royal instructions and his wife's nagging on the other.

In 1539 the internal politics in London changed dramatically. The fear of a Franco-imperial alliance against him, which had driven Henry into a Lutheran alliance, now faded. One look at his Lutheran fourth wife, Anne of Cleves, had nauseated the King, who was in any case swinging back to a conservative Catholic position. Henry was now head over heels in love with a beautiful young Catholic nymphomaniac, Catherine Howard, who held the old man in total sexual thrall. As a Howard, she was a pawn of her uncle Norfolk, the leading Catholic nobleman at Court. If Cromwell did the King's bidding and engineered a divorce from Anne of Cleves, Henry would marry Catherine and Norfolk would automatically replace him as the leading minister. But if he refused he was done for anyway. It was a Catch-22 situation, and Cromwell at last was trapped.

Norfolk's plan to spring the trap was to set up a commission to expose the way Cromwell had for years illegally favored Protestants at Calais. And this is where Lisle and his wife Honor came in. Honor, as we have seen, was a devout, indeed perhaps fanatical, Catholic, and no doubt because of her zeal she had very poor judgment when it came to choosing clergymen for Calais and chaplains for the Lord Deputy's household. In the early 1530s, when official policy had been moving steadily in the Protestant direction, the main complaints from London were that the Lord Deputy, under Honor's influence, was dragging his feet, neglecting to administer the Oath of Supremacy to the population, and persecuting the more advanced Protestants. It was reported to Cromwell that Lisle tolerated "papish dregs," and Cranmer complained that he "nothing favoreth the word of God." Lisle himself, "always indifferent" according to Husee, was willing enough to destroy the relics of the saints, but Honor had to be advised by Husee to abandon prayers for the dead and other popish ceremonies, to avoid getting a bad name at court.

LISLE'S REAL trouble began with the arrival in Calais of one Adam Damplip. He was an intelligent but slightly deranged young man who had started life as a zealous chaplain to the Catholic martyr Bishop Fisher. After the execution of his master, he had gone off to Rome in the naive expectation of finding there "all godliness and sincere religion." Shortly before, the unfortunate merchant John Cheriton had been there and reported cynically that "our holy father the Pope, he has two the fairest women to his wives that ever I saw out of England." Damplip, by contrast, was shattered to find "blasphemy of God, contempt of Christ's true religion, looseness of life, and abundance of all abominations and filthiness."

The scales fell from his eyes and he became an instant Protestant, and an extreme one at that. Refusing friendly overtures from Cardinal Pole at Rome, he rushed back North to spread the word. He was a charismatic young man, and in 1538 he took the town of Calais by storm, preaching to packed audiences including Lisle and even Honor. By now Calais was full of heretics whose revulsion at Catholicism took the form of an extreme rejection of all the more mystical elements of that creed. In particular they rejected the capacity of priests to pardon sins or to turn bread and wine into the Real Presence in the ceremony of the Mass. It was, they said, "not in a knave priest to make God." Anyway, "a mouse would as soon eat the body of God as another cake." As for prayers for the dead, the Mass was "ordained to sing for dogs' souls or hogs' souls, or some say for ducks' souls." Damplip was thus preaching to a receptive audience, and in the excitement of the moment he publicly denied the Real Presence in the Sacrament. Even Honor was temporarily carried away, and in her enthusiasm gave him money and clothes to take him to London for examination by Cranmer.

THIS SPREAD of heresy in a key garrison town was all very well so long as it did not run too far ahead of official policy, but by 1539 Henry had seen the dangers of religious anarchy and was swinging back to conservative Catholicism. To make the point, he had "one hanged for eating flesh on Friday," and himself crept on his knees from the chapel door to the altar. As orders came from London to enforce the new conservative policy, Lisle was in a quandary. The Calais Council was split, the town itself evenly divided, and Cromwell was quietly sabotaging any efforts he might make to enforce the royal will. In May of 1539, therefore, he secretly sought other patrons around the King who were known to be reliable conservative Catholics, thus going behind the back of his former principal patron Cromwell, who had so long been his "good lord." Young James Basset was quietly removed from Cromwell's household to that of his deadly enemy, Bishop Gardiner, although his elder brother John remained with Cromwell.

At this point Honor fell for a glib, ambitious, and more than a little cracked-brained young Catholic priest named Gregory Botolf, familiarly known as Gregory Sweetlips. She was fascinated by his pious conversation, and got him a job as one of Lisle's three private chaplains. Unfortunately he secretly fled to Rome, got in touch—if he is to be believed—with the Pope and Cardinal Pole, and returned to Calais full of a crazy scheme to seize a tower of Calais and betray the city to the Catholic French. Meanwhile the conservative faction at the court led by Norfolk was moving in on Cromwell by instigating the setting up of a commission to investigate Protestant heresy at Calais and in

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particular to expose Cromwell's role in protecting the accused. Lisle was a member of the commission and an active witness; Honor entertained the members lavishly and urged them on.

Although still hedging their bets, the Lisles now clearly pinned their hopes for the future on shifting their allegiance from Cromwell to Norfolk, the rising Howard clan, and the Catholic reaction. Had it not been for the antics of Gregory Sweetlips, the plan would probably have worked. But Cromwell soon got to hear of the Botolf conspiracy, as it was called, laid hands on the conspirators, and then used the presence of Sweetlips and the others in the Lisle household among the conspirators to persuade the King that Lisle himself was involved. By now half-crazed with suspicion, Henry swallowed the unlikely story that his Lord Deputy and uncle was mixed up in a plot to betray Calais to the French. Lisle had returned to England in expectation of an earldom and promotion to a higher position, but instead, on May 19, 1540, he found himself suddenly clapped in the Tower on the charge of treason. Cromwell had earned himself a temporary reprieve by a preemptive strike which discredited the chief witness against him.

BACK IN CALAIS, Honor was the next day separated from her children and put under house arrest, and a thorough search for documents took place, to which we owe the survival of these letters. The investigators turned up yet another suspicious circumstance that could be twisted to cast doubt on Lisle's loyalty. It was found that Honor's daughter Mary Basset had fallen in love with a young French nobleman, exchanged love letters with him, and had foolishly contracted herself secretly in marriage to him. Honor had known about the secret contract for a month, but had not told her husband. Presumably consumed with ambition for so grand a match for her daughter, she had kept the news to herself until the arrival of a formal offer of marriage over four weeks later. She had done this despite the fact that it was treason for one in Lisle's position to contemplate a marriage of one so near to the royal blood to a nobleman of a foreign and potentially enemy country. To make matters worse, Mary Basset had thrown her fiancé's love letters into the privy just before the official searchers arrived—which naturally aroused the worst suspicions. Rumors—certainly untrue—spread through the town that the letters were in fact love letters to Honor from Gregory Sweetlips, and Mary and her mother had a hard time explaining away their actions. Mary was made to reconstruct the contents of the destroyed letters from memory.

Without a moment's notice, on May 19, 1540, all the plans and hopes and dreams of Honor and Lisle came crashing to the ground. Lisle himself remained in the Tower of London, attainted and under immediate threat of execution at any moment, if the King should so decide. As for Honor, she was confined to a private house in Calais, where remorse, guilt, and despair brought about a complete nervous breakdown. Indeed, she had much to feel guilty about. It was she who had patronized Gregory Sweetlips in the first place; she who had concealed the secret engagement of her daughter; quite probably she who had pushed her husband into swinging back to the Catholic party in London behind Cromwell's back, for it seems too Machiavellian a maneuver for Lisle to have thought of by himself. If anyone was to blame for the collapse of the house of Lisle, it was Honor. She was, as the French ambassador cruelly remarked, "the mother of the evil." No wonder she "fell distraught of mind" and never recovered.

The end of the story is soon told. Lisle languished in the Tower on the verge of death by execution for nearly two years while the ghastly history of Henry's latter days unfolded. In 1540 Henry had all the heads of executed traitors removed from the spikes on London Bridge—to make way for others from his projected blood bath. Soon after, Cromwell was arrested for supporting heresy, joined Lisle briefly in the Tower, and was duly executed. The last of the Lisle cousins, the Poles and the Courtenays, were one by one taken from the Tower and executed in a general housecleaning. Two years later, Catherine Howard, the last great love of the old King, was found to be a fornicator and adulteress, and went to the block along with her lovers. Of the two Calais priests who had caused all the trouble at Calais, the Protestant Adam Damplip was arrested and executed for accepting some money from the hated Cardinal Pole at Rome way back in 1537. The Catholic conspirator Sweetlips also died the horrible death of a lower-class traitor. Only Lisle remained, apparently because Henry could not quite bring himself to believe in his guilt. He was, he told his associates, probably more a fool than a conspirator, and his misdeeds "proceeded rather by ignorance than otherwise."

THE END was sudden and unexpected. On February 17, 1542, four days after the execution of Catherine Howard, the dejected and moody King traveled down river by barge to Greenwich, passing close beside the Tower of London. According to the contemporary Calais chronicler, in January Lisle had been given greater freedom of the Tower, and was taking his exercise on the leads. He saw the barge going by, and "raised his hands high and shouted hoarsely for mercy and release from prison." The words traveled on the cold winter air, the King heard him, and sent him a diamond ring from his finger by his secretary to say that he would be pardoned and his estates restored within a few days. For twenty months Lisle, who was naturally inclined to depression if things went wrong, had been confined to the Tower and in daily expectation of a warrant for his execution. Almost monthly some fellow prisoner had been led out to the block or dragged off to Tyburn for death by torture. If he also knew that his beloved Honor had gone mad, the psychological strain must have been enormous. Now suddenly the clouds lifted, and his heart was full of joy—so full that that night he died of a fatal coronary seizure. As an eighteenth-century historian remarked, "the King's mercy was as fatal as his judgments."

As for Honor, she was released and returned from Calais to her home on the Basset estates, where she lived on for another twenty-four years until 1566. But the Calais chronicler records that "I never heard that God gave her back her senses." If true, the shock of the arrest had permanently unhinged her brain.

Like Mother Courage and Dr. Zhivago, Honor and Arthur Lisle lived in terrible times. But it is precisely the interplay between ordinary human lives and horrible public events that makes this record so utterly absorbing. As Miss St. Clare Byrne rightly says of the Lisles, "for these seven years they were humanity itself, clinging to its moment of time." And to her and the University of Chicago Press belongs the honor of having provided them with a posthumous immortality.

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TRB, *from page 6*

the Soviet leaders, young and old, desire serious negotiations," says veteran Averell Harriman in a foreword to *Freeze!* Senators Henry Jackson of Washington and John Warner of Virginia have introduced a rival version of the Kennedy-Hatfield proposal, supported by President Reagan, which would build up America's nuclear arsenal first and enable us to negotiate afterward. Senator Kennedy calls this "voodoo arms control."

Reagan has problems. The Laffer curve and supply-side economics haven't worked. The nation is in a recession. David Stockman confided to the *Atlantic* last December that "Kemp-Roth was always a Trojan Horse to bring down the top [tax] rate." He added, "It's kind of hard to sell trickle-down . . . so the supply-side formula was the only way to get a tax policy that was really 'trickle down.'" (Stockman subsequently repudiated this indiscretion and miraculously retains his job.) Reagan remains loyal to the tax cut program, but a huge federal deficit looms, and Congress is increasingly nervous about it. Relations with Russia have worsened, but the Administration does not seem to mind. When Cuba makes an unexpected gesture toward better understanding, the Administration recoils as if from a rude gesture. It seems too bad, since Richard Nixon cashed in on his impeccably conservative credentials by going to Red China and achieving an accord which no liberal could have obtained. Reagan's present popularity is only so-so, according to the polls. One says that he is below Gerald Ford and Jimmy Carter respectively at this juncture, and the latest Gallup sounding indicates that a majority of the public would prefer that he not run for reelection (52 percent against; 35 percent for; 13 percent without opinion). Such figures, however, are volatile.

At the breakfast table, Edward Kennedy, fully in control of the situation, warns of nuclear holocaust and declines to divulge his future political plans. An aide breaks open a box of the new *Freeze!* books for distribution that look like campaign documents. Nuclear war will bring "a new Stone Age," the book warns. But this is hopeful compared to Jonathan Schell's scenario—that nuclear war will simply bring extinction. Can we move back the hands of the doomsday clock?

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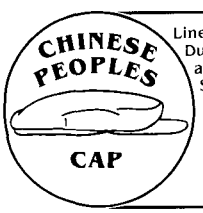

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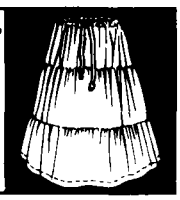

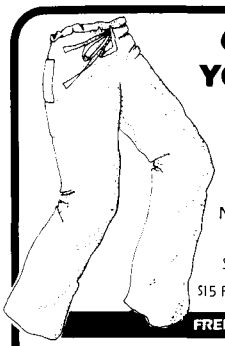

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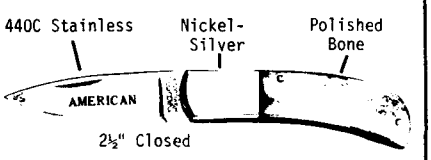

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FRANCE DIARIST

Le Changement

FOR EARNEST AMERICAN liberals of a social-democratic bent (your Diarist, for example), there has traditionally been an ideological motherland somewhere—a land across the seas that provides political inspiration. For a long time it was Sweden. The only bad thing anybody knew about the place was that it has a high suicide rate. In order to win an argument about Sweden, therefore, all you needed to know was that the Swedish suicide rate is, and always has been, identical to that of white Protestant Americans. Checkmate. Except that a few years ago the Swedes unaccountably went and elected themselves a conservative government, thus rendering themselves useless for inspirational purposes. So now it's François Mitterrand's France.

AFTER A TWO-WEEK STAY in the new Valhalla of the democratic left, though, I am unable to report that France has become a workers' paradise. An eater's paradise, yes—but that was true before. I'm dividing my time between Paris and a little village in Provence. In neither place is there much evidence of a great Socialist Experiment. In Paris the only sign of the new order is a weakening of social stratification on the Métro. Holders of second-class tickets are now free to ride in the first-class subway cars—but only before 9 a.m. and after 5 p.m. This is reform, not revolution. In Provence there's no sign of the *changement* at all, unless you count the tattered Mitterrand poster that the sun is slowly bleaching pale blue on the wall in the village square.

OF COURSE, these things take time—and with six more years of his term left to go, time is the one thing Mitterrand has plenty of. Still, most of my French friends who voted enthusiastically for the Socialists seem puzzled that they haven't moved faster or more boldly. It's true that the biggest remaining private banks and some very big corporations have been nationalized, but it's hard to say exactly how this change of *patrons* will add measurably to the national store of liberty, equality, or fraternity. When I pressed one friend to name something, anything, that the government had done that really makes a difference, all she could come up with was the abolition of capital punishment. There is a nice symmetry in the fact that the guillotine has gone out as it came in, under a government of the left. But stopping executions hardly adds up to a reform of society. The Socialists are determined to confound the right's predictions that their inexperience and ideological rigidity will lead the country briskly to disaster. Hence their caution, and the rather wistful disappointment of many of their supporters.

ONE ASPECT of the Mitterrand program that is proceeding on schedule is his systematic demolition of the Communist Party as a consequential political force. It's a little ahead of schedule, actually: in the recent regional elections, the Socialists did better than ever, but the Communists (with an assist from General Jaruzelski) lost so many votes that the conservative coalition ended up with a narrow majority. The right incessantly refers to the government as the "Socialo-Communist regime," but the Communist leaders know perfectly well that Mitterrand maneuvered them into his embrace so that he could smother their organization and co-opt their followers. That's exactly what he's doing, and at this stage the Communists have no choice but to smile and pretend they're enjoying it. The President clearly is willing to go to great lengths to avoid giving the Communists a usable issue to take into opposition with them. To this end he even sacrificed an important and imaginative reform, the 35-hour work week. The original proposal envisioned a 35-hour work week at 35 hours' pay. This would have been an exemplary exercise in social solidarity, since it would have required workers to sacrifice part of their income (in exchange for more leisure time) so as to create jobs for the unemployed. The CFDT labor federation, which is generally aligned with the Socialists, was willing to go along with the idea. But the Communist-led CGT said no, insisting demagogically on 35 hours' work for 40 hours' pay, and threatening a strike. A good many Socialists think Mitterrand should have taken them on; the CGT's position was unpopular, and a CGT strike might have done for Mitterrand what the air controllers did for Reagan. But Mitterrand decided otherwise, and the final proposal calls for a 39-hour week at 40 hours' pay. It's inflationary and it doesn't do much for the jobless, but it does keep the Communists right where the President wants them: under his thumb.

IN FRANCE, people are still making noise about the repression in Poland. In the basement of the Pompidou Center, the big culture radiator in the Marais, there is currently a fascinating exhibit called "Lessons of Solidarity." It's a show you have to read as well as look at. There are Solidarity manifestos, Solidarity programs, Solidarity newspapers, even Solidarity lampoons of officialdom. Visitors are invited to write their own thoughts in a fat blank book; it contains hundreds of pages of comments in a dozen languages—mostly expressions of grief, anger, hope, or gratitude. Unlike the "Let Poland Be Poland" TV show, "Lessons of Solidarity" is not an official propaganda exercise. It was mounted by the Pompidou Center's own workers, through their union locals—the CFDT local, and, in defiance of their federation's national leadership, the CGT local as well.

TO BE AN ANTI-COMMUNIST is a less reflexive, more thoughtful, more politically relevant act in France than in the United States, because every tenth person you see in the street is a real, live, flesh-and-blood Communist. Every Sunday, at the corner of the Rue Rambuteau and the Rue Beaubourg, down the street from where I'm staying in Paris, a couple of nice old Party duffers sit on folding chairs and try to hawk a few copies of *L'Humanité Dimanche*—in much the same spirit, I suppose, as some of their neighbors go to mass. The friend I'm staying with, a Socialist writer, has his Sunday routine too: he buys bread at the bakery and milk at the grocery, and when he gets to the corner on his way home he always raises a clenched fist and hollers, *"Vive la classe ouvrière polonaise!"* The corner Communists don't seem to mind being yelled at. They've had to take much worse from their own Party for the sake of their faith.

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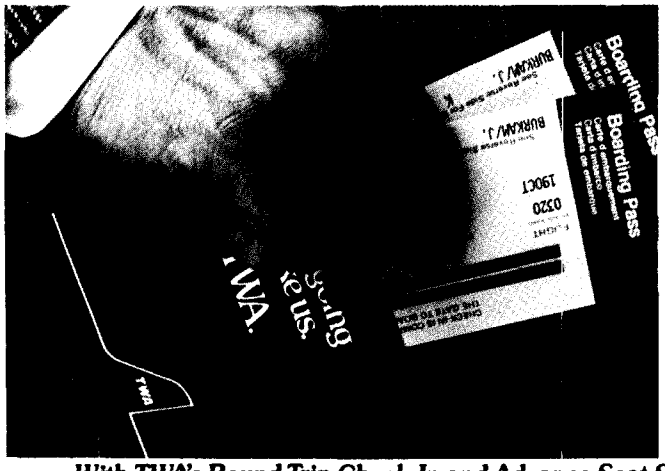

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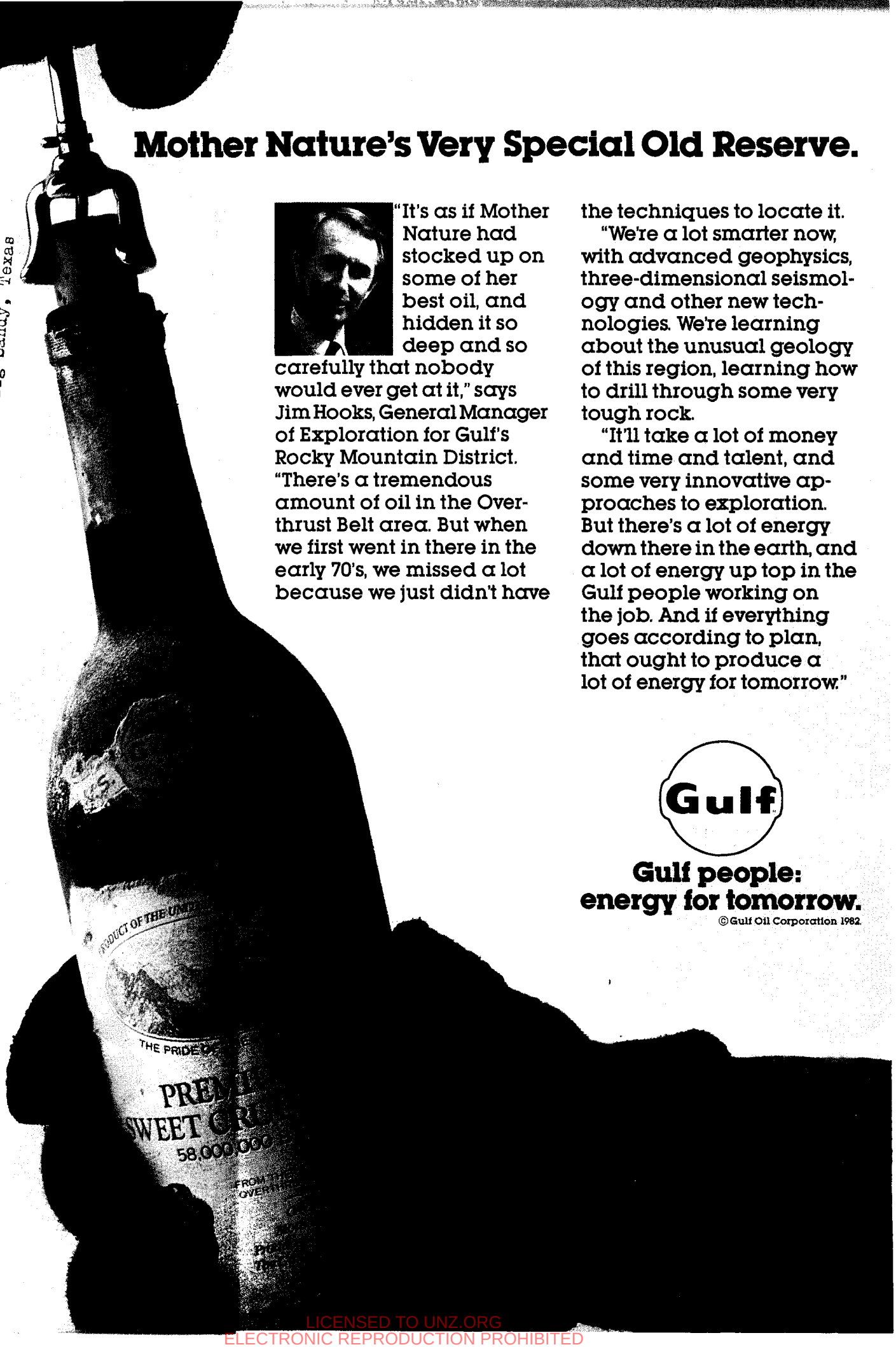

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